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U.S. Department of the Treasury
U.S. Environmental Protection Agency
U.S. General Services Administration
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
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U.S. Patent and Trademark Office
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U.S. Senate Committee on Indian Affairs
U.S. Supreme Court

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From: Public Policy Law360
Sent: Thursday, May 18, 2017 4:46 AM
To: Rep07
Subject: WilmerHale Atty, Ex-FBI Head Tapped To Lead Russia Probe



Thursday, May 18, 2017



TOP NEWS

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The U.S. Department of Justice on Wednesday appointed WilmerHale partner Robert S. Mueller III as special counsel to head up the investigation into Russian interference with the 2016 presidential election. [Read more »](#)

House Votes To Add 4 Bankruptcy Judgeships

The U.S. House of Representatives passed a bill to add four bankruptcy judges to the nation's courts Wednesday, and convert several more temporary posts to permanent ones. [Read more »](#)

Judiciary Presses Congress For More Funding

The federal judiciary asked Congress on Wednesday for \$7.2 billion in discretionary funding, a 3.9 percent increase, saying the judiciary needs to preserve existing court services, ramp up cybersecurity efforts, ensure courthouse security and provide for the availability of court-appointed attorneys. [Read more »](#)

Analysis

LAW FIRMS

Aldous Walker
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Curtin & Heefner
Davis Polk
Davis Wright Tremaine
Del Sole Cavanaugh
Dentons
Dowd Bloch
Drinker Biddle
Fennemore Craig
Fiddler Gonzalez
Gibson Dunn
Herbert Smith Freehills
Hogan Lovells
Husch Blackwell
Kaye McLane
Kilpatrick Townsend
Lawrence Beach
Linklaters
Littler Mendelson
Lowenstein Sandler
Polsinelli
Reed Smith
Seyfarth Shaw

3 Things You Should Know About The Nominee For IP Czar

President Donald Trump has nominated Vishal Amin to be the next intellectual property enforcement coordinator, a move widely cheered by those who believe his congressional relations and strong IP background would be valuable assets. Here are three things to know ahead of his confirmation hearing. [Read more »](#)

House Passes Bill To Create Gov't IT Upgrade Fund

The federal government could soon have a self-sustaining fund dedicated to replacing outdated information security and computer systems, if a bill the House of Representatives passed Wednesday becomes law. [Read more »](#)

Senate Bill Would Ease Stress Testing For Small Banks

A bipartisan Senate bill introduced Wednesday would eliminate stress testing requirements on smaller banks by lifting the threshold for mandating those tests of banks' ability to survive a crisis to \$50 billion. [Read more »](#)

Regulatory Reform Package Clears Senate Committee

The Senate Homeland Security Committee on Wednesday sent five regulatory reform bills to the full body for a vote, all of which are designed to make it harder for executive agencies to promulgate rules. [Read more »](#)

Trump Sends Senate 2 Key Tax, Economic Policy Nominees

President Donald Trump sent a slew of appointments to the Senate for confirmation on Tuesday, including formalizing his intent to nominate Goldman Sachs executive James H. Donovan and American Enterprise Institute economist Kevin A. Hassett for key roles regarding economic and tax policy. [Read more »](#)

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Sidley Austin
Simpson Thacher
Skadden
Steptoe & Johnson LLP
Stoll Glickman
Sullivan & Cromwell
WilmerHale
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Goldman Sachs Group Inc.
JPMorgan Chase & Co.
Koninklijke Vopak NV
Lippman Jungers LLC
NBCUniversal Inc.
National Right to Work Legal Defense Foundation
Natural Resources Defense Council
NetApp, Inc.

Okla. Lawmakers Nix 'American Rule' In Apparent Oversight

Litigants whose actions fail in Oklahoma could be on the hook to pay their opponents' attorneys' fees in all cases thanks to a dramatic and largely unintended revocation of the "American rule" stipulating that each party pay its own fees. [Read more »](#)

BANKING & SECURITIES

Analysis

SEC Chair Faces Uphill Climb In Reviving IPO Market

Newly confirmed U.S. Securities and Exchange Commission Chairman Jay Clayton's efforts to make public markets more attractive are a welcome sign for capital markets attorneys, who nonetheless caution that the SEC's ability to reverse the long-term decline in initial public offerings is limited. [Read more »](#)

Bipartisan Bill Again Calls For Transparency In Settlements

Democratic U.S. Sen. Elizabeth Warren and Republican U.S. Sen. James Lankford on Tuesday reintroduced legislation requiring greater transparency of settlements companies and individuals enter into with federal agencies, including a disclosure of tax deductible amounts or other credits that affect the actual dollar figure. [Read more »](#)

ENERGY & ENVIRONMENTAL

Republican Govs. Urge Trump Admin. To Stay In Paris Accord

Two Republican governors, from Vermont and Massachusetts, urged the U.S. Department of Energy on Wednesday to reconfirm the United States' commitment to the Paris Agreement, saying their states have made progress in cutting carbon pollution but that they need national support to meet international

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Administrators Association

Oklahoma Association for Justice

Oklahoma Bar Association

Recording Industry Association of
America

Royal Dutch Shell PLC

Service Employees International
Union

Square Inc.

Turner Broadcasting System Inc.

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Commission

Congressional Budget Office

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Bureau

Department of Commerce

Executive Office for Immigration
Review

Federal Aviation Administration

Federal Bureau of Investigation

Federal Deposit Insurance Corp.

Federal Reserve System

Federal Trade Commission

Government Accountability Office

Indian Health Service

National Economic Council

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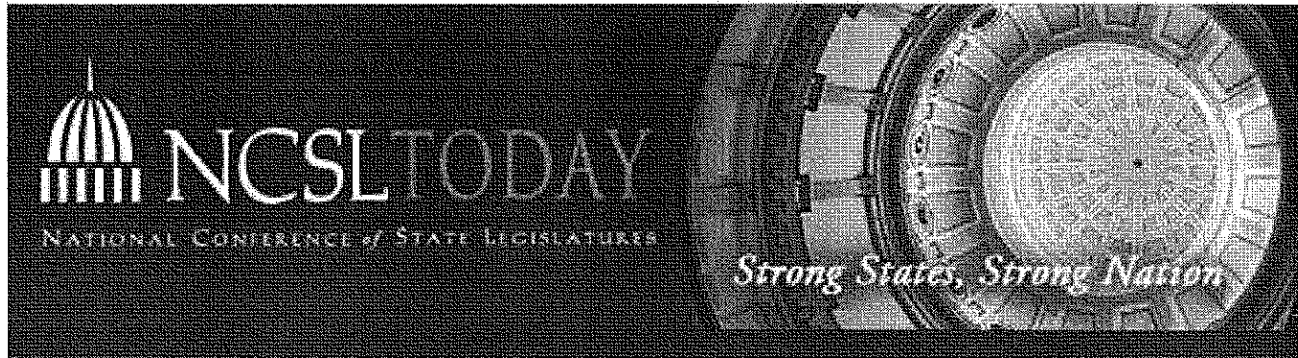
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To: Rep07

Subject: How Trump's health budget would impact states

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Governing

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Lawsuit asks judge to block Kentucky's right-to-work law

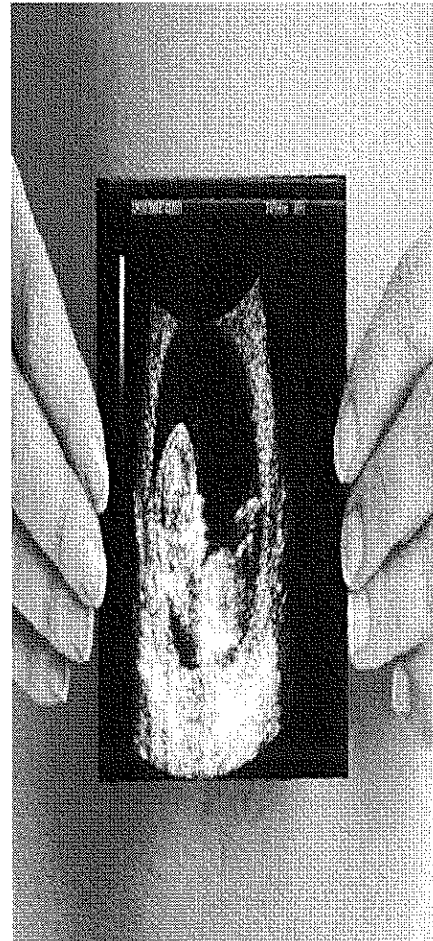
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The Missoulian

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NEW@NCSL

State Legislatures magazine: Walking a tightrope

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Plugged In energy newsletter

Child welfare newsletter



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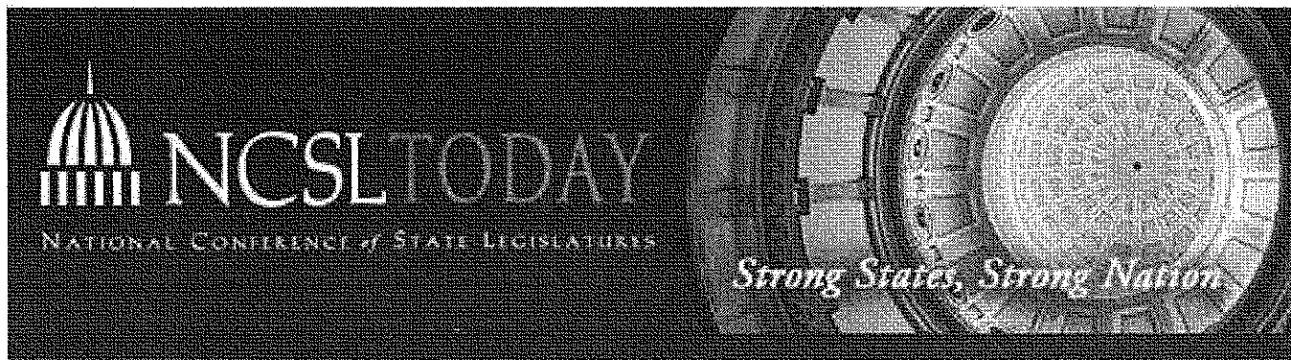
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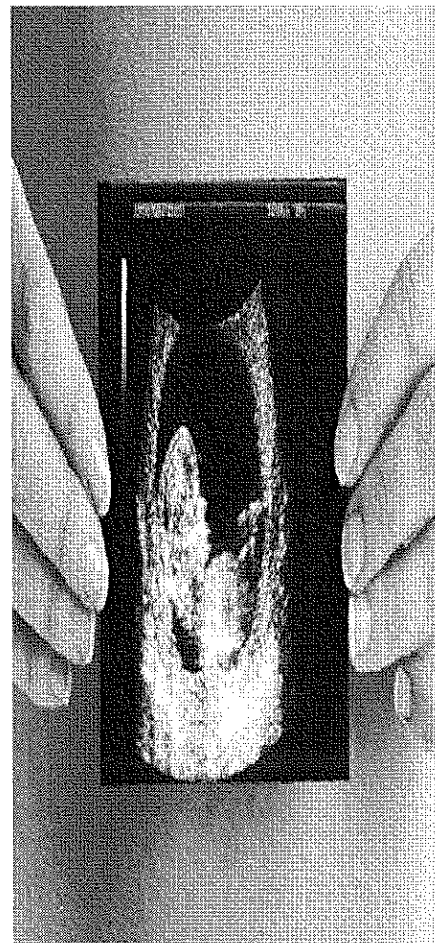
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From: Heartland Institute: The Government Relations Team

Sent: Thursday, June 1, 2017 10:42 AM

To: Rep07

Subject: The Leaflet - Appalachian Communities Could Benefit Significantly from Hydraulic Fracturing

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the leaflet

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THE HEARTLAND INSTITUTE 

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Appalachian Communities Could Benefit Significantly from Hydraulic Fracturing

According to a report released in May 2017 by the American Chemistry Council (ACC), the Appalachian regions of Kentucky, Ohio, Pennsylvania, and West Virginia is on its way to becoming a petrochemical and plastic-resin manufacturing hub. ACC projects the region will experience a \$35 billion increase in investment spending and the addition of 100,000 permanent jobs by 2025. All this is due to the hydraulic fracturing, commonly called "fracking," revolution, which has made the region's massive shale gas deposits available for development.

Of the 100,000 new jobs that are projected, 25,000 are in "chemical and plastic products" manufacturing, 43,000 in "supplier industries," and another 32,000 are in "payroll-induced" jobs in communities where workers spend their wages." The study also estimates federal, state, and local tax revenues would increase by \$2.9 billion over the same period.

"The Appalachian region has distinct benefits that could make it a major petrochemical and plastic resin-producing zone," said ACC President and CEO Cal Dooley in a press release accompanying the study. One of these benefits being its "proximity to a world-class supply of raw materials from the Marcellus/Utica and Rogersville shale formations."

A paper from the National Bureau of Economic Research (NBER), also released in May 2017, has found "the fracking boom of the post 2005 period led to sizable improvements in the earnings potential of non-college educated men in counties located over geological shale plays."

Specifically, \$1,000 per capita of fracking production causes a 6 percent increase in average earnings for males employed outside of the oil and natural-gas industries, including a 2.9 percent increase for non-college-educated men, as well as a 2 percent increase in the total number of jobs for both college-educated and non-college-educated men.

The NBER report reinforces the findings made by researchers from the University of Chicago, Princeton University, and Massachusetts Institute of Technology (MIT) in 2016. In their study, communities near shale basins were examined, and the researchers found hydraulic-fracturing activity brought \$1,300 to \$1,900 in annual benefits to local households, including “a 7 percent increase in average income, driven by rises in wages and royalty payments, a 10 percent increase in employment, and a 6 percent increase in housing prices.”

According to Heartland Policy Analyst Tim Benson’s recent *Research & Commentary* on hydraulic fracturing, the fracking process has transformed the energy outlook of the United States over the past decade, and the rise of shale gas as a replacement for coal has been primarily responsible for the “United States now enjoying its lowest level of carbon-dioxide emissions since 1989. According to the U.S. Energy Information Administration (EIA), fracking now accounts for 51 percent of all U.S. crude oil production. EIA also estimates the continuing switch of electricity-generation fuels to fracking-produced natural gas is responsible for 63 percent of the drop in U.S. energy-related carbon-dioxide emissions over the past decade.” = 2

Of course, the benefits of fracking, including those projected by ACC in its study, can only exist if the fracking industry is protected from misguided and shortsighted attempts to ban it or overregulate it out of existence - attempts based completely on unscientific claims about fracking’s alleged environmental dangers.

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WHAT WE'RE WORKING ON

Budget & Tax

Research & Commentary: Michigan Considers Moving to 401(k)s for Teachers

In this *Research & Commentary*, Senior Policy Analyst Matthew Glans examines a proposed pension reform plan in Michigan that would move all new teachers to a 401(k)-style defined-contribution plan. “Michigan’s effort to move state workers into a defined-contribution pension plan is an important step toward solidifying the state’s financial future. Defined-contribution plans give retirees direct control over retirement and make it possible for them to move in and out of the private sector without losing their accrued pension benefits. This allows governments to budget more accurately, because benefits are paid directly to employees and are firmly set each year,” wrote Glans. Read more

Education

Research & Commentary: Special-Needs ESAs Would Be a Great First Step for Maine

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In this *Research & Commentary*, Policy Analyst Tim Benson writes about a proposal in Maine that would establish an education savings account (ESA) program for students with special needs. Under the program, ESAs could be used to pay for tuition and fees at private and parochial schools, as well for textbooks, tutoring services by a certified teacher, online courses, educational therapies, and transportation costs. Additionally, ESAs could be used to cover the fees required to take national standardized achievement tests, such as the SAT and ACT. Benson writes that legislators should give serious consideration to what ESAs could mean for families with disabled children, as it would give more Maine families a greater opportunity to meet each child's unique education needs. [Read more](#)

Energy & Environment

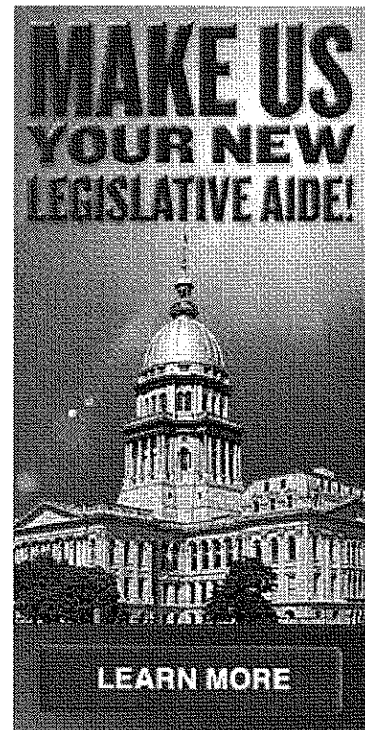
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insurers deny a patient treatment recommended by her physicians. [Read more](#)

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1.8 Million Illinoisans are Dependent on Food Stamps

In this report from the Illinois Policy Institute, Brendan Bakala analyzes data from the Illinois Department of Human Services. Bakala found the number of Illinois residents enrolled in the Supplemental Nutrition Assistance Program, commonly called "food stamps," increased by more than 15,000 from March 2016 to March 2017, while the number of recipients in Indiana decreased by more than 9 percent during the same period. Bakala argues Indiana's economic success comes from its pro-growth policies, including its right-to-work law.

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Budget & Tax News


Health Care News

School Reform News

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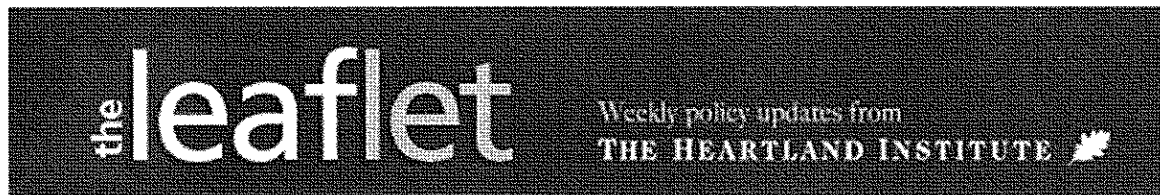
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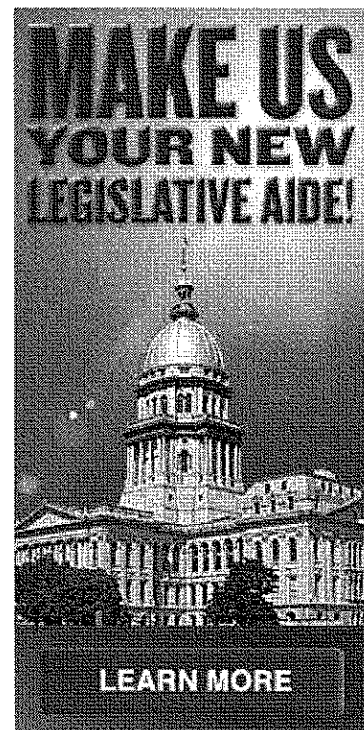
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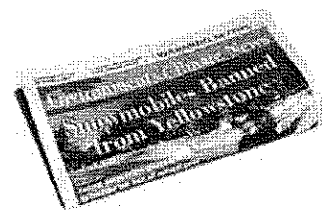
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School Reform News

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Monday, June 5, 2017



TOP NEWS

Analysis

Trump's Paris Redo Caveat Leaves Experts Scratching Heads

President Donald Trump qualified his announcement that the United States will pull out of the Paris climate accord by expressing a willingness to seek a renegotiated deal or even forge a brand new one, but experts say there's no clear path to reworking the terms of the U.S.' involvement and that the global community may be reluctant to engage. [Read more »](#)

Analysis

Trump Officials' Tax Signals Have Experts In Holding Pattern

Clients haven't given up on tax reform yet, but after a week of vague statements about what exactly the administration wants out of it, they are holding off major decisions until they can see what elements of tax reform get through Congress, experts say. [Read more »](#)

Trump Admin Takes Immigration Ban Fight To Supreme Court

LAW FIRMS

Altshuler Berzon
Arnold & Porter Kaye Scholer
Baker McKenzie
BakerHostetler
Bracewell
Bradley Arant
Caplin & Drysdale
Clarke Silverglate
Cooley
Covington & Burling
Cozen O'Connor
DLA Piper
Earthjustice
Epstein Becker Green
Foley & Lardner
Garvey Schubert
Gibson Dunn
Greenberg Glusker
Greenberg Traurig
Gupta Wessler

The Trump administration has asked the U.S. Supreme Court to review the block of President Donald Trump's revised immigration ban, along with seeking stays of the injunctions at issue, claiming in its petition to the high court that the policy isn't a "Muslim ban." [Read more »](#)

GOP Dodd-Frank Rewrite Heads For House Vote

The U.S. House of Representatives will vote next week on a bill that would substantially roll back the financial regulations mandated by the 2010 Dodd-Frank Act, top Republican leaders said Friday. [Read more »](#)

Analysis

Straining Under Caseload, Fla. Federal Judges Hope For Help

After years of dealing with heavier-than-average caseloads, federal judges in Florida — and those who practice in their courts — are hopeful legislation introduced by the state's U.S. senators seeking 10 new judgeships will ease the burden of busy dockets. [Read more »](#)

Trump Says Wine Bar Suit Must Stay In Federal Court

President Donald Trump told a D.C. federal court on Thursday that an unfair competition suit brought by a wine bar located near his luxury hotel should remain in federal court because of the case's relation to his presidency. [Read more »](#)

BANKING & SECURITIES

Wachtell Partner Drops Out Of DOJ Leadership Consideration

The Wachtell Lipton Rosen & Katz LLP partner married to presidential adviser Kellyanne Conway has pulled himself out of the running for a U.S. Department of Justice job, saying he'll keep his role handling litigation tied to securities, mergers and acquisitions and antitrust matters. [Read more »](#)

Hunton & Williams
Husch Blackwell
Jones Day
Jung & Sisco
K&L Gates
Kirkland & Ellis
Klarquist Sparkman
Klasko Immigration Law Partners
Latham & Watkins
Maxey Wann
Mayer Brown
McDermott Will
Morgan Lewis
Morrison & Foerster
Motley Rice
Ober Kaler
Polsinelli
Reed Smith
Robins Kaplan
Sauer & Wagner
Schiff Hardin
Seyfarth Shaw
Skadden
Sullivan & Cromwell
Wachtell Lipton
Waller Lansden

COMPANIES

21st Century Fox Inc.
American Association for Justice
American Civil Liberties Union
American Health Care Association
American Immigration Council
American Immigration Lawyers Association
Autonomy Corp.
Catholic Legal Immigration Network Inc.
Center for Biological Diversity Inc.

SEC Chair Seeks Input On Investment Adviser Conduct Rules

Securities and Exchange Commission Chairman Jay Clayton on Thursday called for public input on conduct standards governing investment advisers and broker-dealers, vowing to work with the U.S. Department of Labor as that cabinet agency implements its own fiduciary standard for retirement advisers. [Read more »](#)

ENERGY & ENVIRONMENTAL

Judge Casts Out Enviros' Bull Trout Suit Against FWS

An Oregon federal judge on Friday agreed with a magistrate judge's recommendation to grant the U.S. Fish and Wildlife Service's bid to dismiss a complaint alleging that it hasn't done enough to protect the bull trout's cold-water habitat from global warming, rejecting objections from the environmental groups that filed the suit. [Read more »](#)

Challenges Combined To Revival Of Coal-Leasing Program

A Montana federal judge on Friday agreed to consolidate two cases challenging Interior Secretary Ryan Zinke's decision in late March to lift the moratorium on the federal coal-leasing program imposed last year. [Read more »](#)

HEALTH & LIFE SCIENCES

Health Hires: Epstein, Greenberg, McDermott, Polsinelli

Epstein Becker Green, Greenberg Traurig LLP and McDermott Will & Emery LLP have boosted their health care groups with attorneys from Waller Lansden Dortch & Davis LLP, Reed Smith LLP and DLA Piper, respectively, and Polsinelli PC has grown its intellectual property practice with four life sciences experts. [Read more »](#)

Chevron Corporation
Hudson City Bancorp Inc.
Humane Society of the United States
Ion Media Networks Inc.
Johnson & Johnson
M&T Bank Corporation
McDonald's Corporation
Mexican American Legal Defense and Education Fund
National Association of Broadcasters
National Association of Consumer Advocates
National Immigration Law Center
National Rifle Association of America
Natural Resources Defense Council
Russell Reynolds Associates Inc.
Sinclair Broadcast Group, Inc.
Tribune Media Co.
Trump Organization Inc.
U.S. Chamber of Commerce
United States Telecom Association
Univision Communications Inc.

GOVERNMENT AGENCIES

Bureau of Labor Statistics
Bureau of Land Management
Centers for Medicare & Medicaid Services
Congressional Budget Office
Congressional Research Service
Consumer Financial Protection Bureau
Energy Information Administration
Executive Office of the President
Federal Aviation Administration
Federal Bureau of Investigation

CMS Abandons Nursing Home Arbitration Appeal

The Centers for Medicare & Medicaid Services on Friday ditched its Fifth Circuit appeal of a decision blocking the agency's ban on mandatory nursing home arbitration, the latest signal that the ban's days may be numbered. [Read more »](#)

EMPLOYMENT

7th Circ. Urged To Have 2nd Look At 'Right-To-Work' Laws

Less than three years after ruling in favor of so-called "right-to-work" laws, the Seventh Circuit is being asked to revisit its decision by a pair of Wisconsin unions that said Friday they are prepared to put the issue once again before a full bench of the court. [Read more »](#)

AEROSPACE & DEFENSE

Armed Services Want Extra \$32B For 'Unfunded Priorities'

The four U.S. armed services have asked for about \$32 billion in extra funding for purchases such as additional F-35 fighter jets, according to "unfunded priorities" lists that were made public Thursday and Friday after being delivered to Congress earlier in the week. [Read more »](#)

INTERNATIONAL TRADE

Enviros Urge DC Circ. To Keep Elephant Hunting Trophy Ban

Animal rights groups have asked the D.C. Circuit not to revive a challenge from the Safari Club and the National Rifle Association against the U.S. Fish and Wildlife Service's decision to ban imports of sport-hunted African elephant trophies from Zimbabwe, saying the agency has broad authority to protect threatened species. [Read more »](#)

TAX

Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Emergency Management Agency
Financial Stability Oversight Council
Fish and Wildlife Service
Food and Drug Administration
Internal Revenue Service
Judicial Conference of the United States
Miami International Airport
National Credit Union Administration
National Labor Relations Board
Northern Cheyenne Tribe
Securities and Exchange Commission
U.S. Army
U.S. Department of Defense
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of Veterans Affairs
U.S. Department of the Interior
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Supreme Court
United Nations

IRS Barred From Charging Fees For Tax Return Preparers

The Internal Revenue Service has been ordered to refund certain fees it has been charging tax return preparers since 2011, as a federal judge sided with a class of more than a million preparers and said that the IRS lacks the authority to regulate them. [Read more »](#)

IMMIGRATION

San Antonio Sues To Block Texas' Immigrant Check Law

The city of San Antonio and three nonprofits on Thursday hit the state of Texas with a suit in federal court, seeking to block a new law that allows police officers to decide how to question individuals about their immigration status, arguing that the law is unconstitutional and will incite racial profiling. [Read more »](#)

ICE Wrongly Restricts Detainee Access To Legal Aid, Suit Says

A legal service organization that works with detained immigrants hit U.S. Immigration and Customs Enforcement with a lawsuit Thursday, challenging a new written policy that the group argues wrongly restricts access to legal aid. [Read more »](#)

TELECOMMUNICATIONS

FCC To Consider Slate Of Public Safety Issues In June

The Federal Communications Commission's next monthly meeting will focus on several public safety-related initiatives, Chairman Ajit Pai said in a blog post on Thursday, including proposals governing an opt-out process for a nationwide first responder network and a new Amber Alert-like code for law enforcement threats. [Read more »](#)

DC Circ. Stays FCC Relaxing Of TV Station Ownership Limits

The D.C. Circuit on Thursday temporarily paused a Federal Communications Commission vote reinstating a loosening of TV station ownership rules that was nixed by the Democratic-led agency last year, saying it would give the appeals court time to consider the arguments made by advocacy organizations to prevent the vote from taking effect. [Read more »](#)

FCC Publishes Data Service, Internet, Studio Reforms

The Federal Communications Commission published several final and proposed rules in the Federal Register on Friday introducing reforms to business data services, jurisdictional separations, studio requirements for broadcasters and regulation of the internet. [Read more »](#)

FLORIDA

Fla. Gov., Legislators Have Budget Deal, Special Session Set

Fla. Gov. Rick Scott announced Friday he will sign the 2017-18 state budget, with \$410 million in vetoes, and call back state lawmakers for a three-day special session starting Wednesday after reaching an agreement with legislative leaders on additional spending for education and economic development programs. [Read more »](#)

Q&A

Q&A With Klasko Immigration Law Partners' William Stock

Immigration lawyers need to be aware that immigration restriction advocates placed in policy-level positions within agencies, and their allies in Congress, will be trying to make changes that may seem minor to the broader public but that will have enormous detrimental impacts, says William Stock of Klasko Immigration Law. [Read more »](#)

EXPERT ANALYSIS

Monthly Column

Congressional Forecast: June

Members of Congress return to Washington, D.C., this week for a four-week work period before the Fourth of July recess. Many of the same issues that absorbed their attention during the first five months of the year will continue to dominate the June agenda on Capitol Hill, say Richard Hertling and Kaitlyn McClure of Covington & Burling LLP. [Read more »](#)

9 Things To Know About Trump's Paris Agreement Decision

After declining to recommit to the Paris climate change agreement at last week's G-7 summit, it came as little surprise that President Donald Trump announced the U.S. will withdraw from the Paris climate accord. Attorneys with Arnold & Porter Kaye Scholer LLP discuss some of the most important aspects of Trump's recent decision. [Read more »](#)

The Regulatory Process And Beyond For Net Neutrality

Last month, the Federal Communications Commission set a course to revise and replace the 2015 Open Internet Order. While polarized sides of the political spectrum and different industry players battle over how the regulatory landscape will settle, all concerned will be in danger of paying the price of uncertainty in the near term, says professor Evan Franke of George Washington University. [Read more »](#)

How The FAA Is Advancing Drone Operations

In recent months, the Federal Aviation Administration has announced a technology-based solution to provide operators of drones with geographical data on where their use is restricted. And an FAA affiliate has published a study on hazards from drone-human collisions. All this information should streamline

procedures and improve risk assessments around drone use, say Erik Dullea and Chris Sundberg of Husch Blackwell LLP. [Read more »](#)

Maryland's Energy Storage Credit Has Strings Attached

Last month, Maryland became the first state in the U.S. to offer a tax credit for energy storage systems. But its value may be limited by a cap on the total amount of credits the state will issue in a given year, questions about how partnerships may be allowed to allocate the credit between sponsors and investors, and other considerations, say attorneys at Mayer Brown LLP. [Read more »](#)

LEGAL INDUSTRY

More Women Are GCs, But They're Not Coming From Firms

The number of women leading Fortune 500 legal departments is higher than ever while companies increasingly select candidates from the corporate sphere to fill general counsel roles instead of turning to law firms, a new report released Friday found. [Read more »](#)

Legal Industry Adds 2,000 New Jobs In May

The legal sector continued to gain momentum in 2017, adding 2,000 new jobs in May to reach its highest level in nearly four years, according to the latest employment report released Friday by the Bureau of Labor Statistics. [Read more »](#)

In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week. [Read more »](#)

BigLaw Alums Q&A: Glen Rothstein

In my view, the unwavering commitment to embracing the battle for the inches is the

difference between winning and losing for your clients; between living and slowly dying as a practitioner and a human being, says Glen Rothstein, founder of Rothstein Law APC. Read more »

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TOP NEWS

Analysis

Trump's Paris Redo Caveat Leaves Experts Scratching Heads

President Donald Trump qualified his announcement that the United States will pull out of the Paris climate accord by expressing a willingness to seek a renegotiated deal or even forge a brand new one, but experts say there's no clear path to reworking the terms of the U.S.' involvement and that the global community may be reluctant to engage. [Read more »](#)

Analysis

Trump Officials' Tax Signals Have Experts In Holding Pattern

Clients haven't given up on tax reform yet, but after a week of vague statements about what exactly the administration wants out of it, they are holding off major decisions until they can see what elements of tax reform get through Congress, experts say. [Read more »](#)

Trump Admin Takes Immigration Ban Fight To Supreme Court

LAW FIRMS

Altshuler Berzon
Arnold & Porter Kaye Scholer
Baker McKenzie
BakerHostetler
Bracewell
Bradley Arant
Caplin & Drysdale
Clarke Silvergate
Cooley
Covington & Burling
Cozen O'Connor
DLA Piper
Earthjustice
Epstein Becker Green
Foley & Lardner
Garvey Schubert
Gibson Dunn
Greenberg Glusker
Greenberg Traurig
Gupta Wessler

The Trump administration has asked the U.S. Supreme Court to review the block of President Donald Trump's revised immigration ban, along with seeking stays of the injunctions at issue, claiming in its petition to the high court that the policy isn't a "Muslim ban." [Read more »](#)

GOP Dodd-Frank Rewrite Heads For House Vote

The U.S. House of Representatives will vote next week on a bill that would substantially roll back the financial regulations mandated by the 2010 Dodd-Frank Act, top Republican leaders said Friday. [Read more »](#)

Analysis

Straining Under Caseload, Fla. Federal Judges Hope For Help

After years of dealing with heavier-than-average caseloads, federal judges in Florida — and those who practice in their courts — are hopeful legislation introduced by the state's U.S. senators seeking 10 new judgeships will ease the burden of busy dockets. [Read more »](#)

Trump Says Wine Bar Suit Must Stay In Federal Court

President Donald Trump told a D.C. federal court on Thursday that an unfair competition suit brought by a wine bar located near his luxury hotel should remain in federal court because of the case's relation to his presidency. [Read more »](#)

BANKING & SECURITIES

Wachtell Partner Drops Out Of DOJ Leadership Consideration

The Wachtell Lipton Rosen & Katz LLP partner married to presidential adviser Kellyanne Conway has pulled himself out of the running for a U.S. Department of Justice job, saying he'll keep his role handling litigation tied to securities, mergers and acquisitions and antitrust matters. [Read more »](#)

Hunton & Williams
Husch Blackwell
Jones Day
Jung & Sisco
K&L Gates
Kirkland & Ellis
Klarquist Sparkman
Klasko Immigration Law Partners
Latham & Watkins
Maxey Wann
Mayer Brown
McDermott Will
Morgan Lewis
Morrison & Foerster
Motley Rice
Ober Kaler
Polsinelli
Reed Smith
Robins Kaplan
Sauer & Wagner
Schiff Hardin
Seyfarth Shaw
Skadden
Sullivan & Cromwell
Wachtell Lipton
Waller Lansden

COMPANIES

21st Century Fox Inc.
American Association for Justice
American Civil Liberties Union
American Health Care Association
American Immigration Council
American Immigration Lawyers Association
Autonomy Corp.
Catholic Legal Immigration Network Inc.
Center for Biological Diversity Inc.

SEC Chair Seeks Input On Investment Adviser Conduct Rules

Securities and Exchange Commission Chairman Jay Clayton on Thursday called for public input on conduct standards governing investment advisers and broker-dealers, vowing to work with the U.S. Department of Labor as that cabinet agency implements its own fiduciary standard for retirement advisers. [Read more »](#)

ENERGY & ENVIRONMENTAL

Judge Casts Out Enviros' Bull Trout Suit Against FWS

An Oregon federal judge on Friday agreed with a magistrate judge's recommendation to grant the U.S. Fish and Wildlife Service's bid to dismiss a complaint alleging that it hasn't done enough to protect the bull trout's cold-water habitat from global warming, rejecting objections from the environmental groups that filed the suit. [Read more »](#)

Challenges Combined To Revival Of Coal-Leasing Program

A Montana federal judge on Friday agreed to consolidate two cases challenging Interior Secretary Ryan Zinke's decision in late March to lift the moratorium on the federal coal-leasing program imposed last year. [Read more »](#)

HEALTH & LIFE SCIENCES

Health Hires: Epstein, Greenberg, McDermott, Polsinelli

Epstein Becker Green, Greenberg Traurig LLP and McDermott Will & Emery LLP have boosted their health care groups with attorneys from Waller Lansden Dortch & Davis LLP, Reed Smith LLP and DLA Piper, respectively, and Polsinelli PC has grown its intellectual property practice with four life sciences experts. [Read more »](#)

Chevron Corporation
Hudson City Bancorp Inc.
Humane Society of the United States
Ion Media Networks Inc.
Johnson & Johnson
M&T Bank Corporation
McDonald's Corporation
Mexican American Legal Defense and Education Fund
National Association of Broadcasters
National Association of Consumer Advocates
National Immigration Law Center
National Rifle Association of America
Natural Resources Defense Council
Russell Reynolds Associates Inc.
Sinclair Broadcast Group, Inc.
Tribune Media Co.
Trump Organization Inc.
U.S. Chamber of Commerce
United States Telecom Association
Univision Communications Inc.

GOVERNMENT AGENCIES

Bureau of Labor Statistics
Bureau of Land Management
Centers for Medicare & Medicaid Services
Congressional Budget Office
Congressional Research Service
Consumer Financial Protection Bureau
Energy Information Administration
Executive Office of the President
Federal Aviation Administration
Federal Bureau of Investigation

CMS Abandons Nursing Home Arbitration Appeal

The Centers for Medicare & Medicaid Services on Friday ditched its Fifth Circuit appeal of a decision blocking the agency's ban on mandatory nursing home arbitration, the latest signal that the ban's days may be numbered. [Read more »](#)

EMPLOYMENT

7th Circ. Urged To Have 2nd Look At 'Right-To-Work' Laws

Less than three years after ruling in favor of so-called "right-to-work" laws, the Seventh Circuit is being asked to revisit its decision by a pair of Wisconsin unions that said Friday they are prepared to put the issue once again before a full bench of the court. [Read more »](#)

AEROSPACE & DEFENSE

Armed Services Want Extra \$32B For 'Unfunded Priorities'

The four U.S. armed services have asked for about \$32 billion in extra funding for purchases such as additional F-35 fighter jets, according to "unfunded priorities" lists that were made public Thursday and Friday after being delivered to Congress earlier in the week. [Read more »](#)

INTERNATIONAL TRADE

Enviros Urge DC Circ. To Keep Elephant Hunting Trophy Ban

Animal rights groups have asked the D.C. Circuit not to revive a challenge from the Safari Club and the National Rifle Association against the U.S. Fish and Wildlife Service's decision to ban imports of sport-hunted African elephant trophies from Zimbabwe, saying the agency has broad authority to protect threatened species. [Read more »](#)

TAX

Federal Communications Commission

Federal Deposit Insurance Corp.
Federal Emergency Management Agency

Financial Stability Oversight Council

Fish and Wildlife Service

Food and Drug Administration

Internal Revenue Service

Judicial Conference of the United States

Miami International Airport

National Credit Union Administration

National Labor Relations Board

Northern Cheyenne Tribe

Securities and Exchange Commission

U.S. Army

U.S. Department of Defense

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

U.S. Department of Veterans Affairs

U.S. Department of the Interior

U.S. Environmental Protection Agency

U.S. House of Representatives

U.S. Immigration and Customs Enforcement

U.S. Supreme Court

United Nations

IRS Barred From Charging Fees For Tax Return Preparers

The Internal Revenue Service has been ordered to refund certain fees it has been charging tax return preparers since 2011, as a federal judge sided with a class of more than a million preparers and said that the IRS lacks the authority to regulate them. [Read more »](#)

IMMIGRATION

San Antonio Sues To Block Texas' Immigrant Check Law

The city of San Antonio and three nonprofits on Thursday hit the state of Texas with a suit in federal court, seeking to block a new law that allows police officers to decide how to question individuals about their immigration status, arguing that the law is unconstitutional and will incite racial profiling. [Read more »](#)

ICE Wrongly Restricts Detainee Access To Legal Aid, Suit Says

A legal service organization that works with detained immigrants hit U.S. Immigration and Customs Enforcement with a lawsuit Thursday, challenging a new written policy that the group argues wrongly restricts access to legal aid. [Read more »](#)

TELECOMMUNICATIONS

FCC To Consider Slate Of Public Safety Issues In June

The Federal Communications Commission's next monthly meeting will focus on several public safety-related initiatives, Chairman Ajit Pai said in a blog post on Thursday, including proposals governing an opt-out process for a nationwide first responder network and a new Amber Alert-like code for law enforcement threats. [Read more »](#)

DC Circ. Stays FCC Relaxing Of TV Station Ownership Limits

The D.C. Circuit on Thursday temporarily paused a Federal Communications Commission vote reinstating a loosening of TV station ownership rules that was nixed by the Democratic-led agency last year, saying it would give the appeals court time to consider the arguments made by advocacy organizations to prevent the vote from taking effect. [Read more »](#)

FCC Publishes Data Service, Internet, Studio Reforms

The Federal Communications Commission published several final and proposed rules in the Federal Register on Friday introducing reforms to business data services, jurisdictional separations, studio requirements for broadcasters and regulation of the internet. [Read more »](#)

FLORIDA

Fla. Gov., Legislators Have Budget Deal, Special Session Set

Fla. Gov. Rick Scott announced Friday he will sign the 2017-18 state budget, with \$410 million in vetoes, and call back state lawmakers for a three-day special session starting Wednesday after reaching an agreement with legislative leaders on additional spending for education and economic development programs. [Read more »](#)

Q&A

Q&A With Klasko Immigration Law Partners' William Stock

Immigration lawyers need to be aware that immigration restriction advocates placed in policy-level positions within agencies, and their allies in Congress, will be trying to make changes that may seem minor to the broader public but that will have enormous detrimental impacts, says William Stock of Klasko Immigration Law. [Read more »](#)

EXPERT ANALYSIS

Monthly Column

Congressional Forecast: June

Members of Congress return to Washington, D.C., this week for a four-week work period before the Fourth of July recess. Many of the same issues that absorbed their attention during the first five months of the year will continue to dominate the June agenda on Capitol Hill, say Richard Hertling and Kaitlyn McClure of Covington & Burling LLP. [Read more »](#)

9 Things To Know About Trump's Paris Agreement Decision

After declining to recommit to the Paris climate change agreement at last week's G-7 summit, it came as little surprise that President Donald Trump announced the U.S. will withdraw from the Paris climate accord. Attorneys with Arnold & Porter Kaye Scholer LLP discuss some of the most important aspects of Trump's recent decision. [Read more »](#)

The Regulatory Process And Beyond For Net Neutrality

Last month, the Federal Communications Commission set a course to revise and replace the 2015 Open Internet Order. While polarized sides of the political spectrum and different industry players battle over how the regulatory landscape will settle, all concerned will be in danger of paying the price of uncertainty in the near term, says professor Evan Franke of George Washington University. [Read more »](#)

How The FAA Is Advancing Drone Operations

In recent months, the Federal Aviation Administration has announced a technology-based solution to provide operators of drones with geographical data on where their use is restricted. And an FAA affiliate has published a study on hazards from drone-human collisions. All this information should streamline

procedures and improve risk assessments around drone use, say Erik Dullea and Chris Sundberg of Husch Blackwell LLP. [Read more »](#)

Maryland's Energy Storage Credit Has Strings Attached

Last month, Maryland became the first state in the U.S. to offer a tax credit for energy storage systems. But its value may be limited by a cap on the total amount of credits the state will issue in a given year, questions about how partnerships may be allowed to allocate the credit between sponsors and investors, and other considerations, say attorneys at Mayer Brown LLP. [Read more »](#)

LEGAL INDUSTRY

More Women Are GCs, But They're Not Coming From Firms

The number of women leading Fortune 500 legal departments is higher than ever while companies increasingly select candidates from the corporate sphere to fill general counsel roles instead of turning to law firms, a new report released Friday found. [Read more »](#)

Legal Industry Adds 2,000 New Jobs In May

The legal sector continued to gain momentum in 2017, adding 2,000 new jobs in May to reach its highest level in nearly four years, according to the latest employment report released Friday by the Bureau of Labor Statistics. [Read more »](#)

In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week. [Read more »](#)

BigLaw Alums Q&A: Glen Rothstein

In my view, the unwavering commitment to embracing the battle for the inches is the

difference between winning and losing for your clients; between living and slowly dying as a practitioner and a human being, says Glen Rothstein, founder of Rothstein Law APC. Read more »

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Metropolitan Water District
Los Angeles, California

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Wednesday, June 7, 2017



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TOP NEWS

Analysis

Red-State Cities Face Uphill Battle To Keep Paris Pledge

Scores of U.S. cities say they will honor the goals laid out by the Paris climate agreement despite President Donald Trump's vow to pull out of the deal, but cities in climate-policy-resistant Republican states won't have as much leeway to clamp down on greenhouse gas

LAW FIRMS

Akerman

Allen Norton

Baker McKenzie

Barris Sott

Brownstein Hyatt

= 9

Bush Seyferth

= 9

Butler Snow LLP

Butzel Long

emissions as their blue-state counterparts, experts say. = 9 Read more »= A

Analysis

Key Questions About Move To Privatize Air Traffic Control = 9

President Donald Trump's full-throated backing of efforts to spin off air traffic control functions from the Federal Aviation Administration into a nonprofit, nongovernmental organization is an opening salvo in what's likely to be a pitched political battle over revamping a central component of the nation's air travel system. Here are several key questions that Congress will have to answer when it tackles negotiations on ATC reform. Read more »

= 9

Trump Picks Kirkland & Ellis Partner For Top DOJ Enviro Spot

President Donald Trump on Tuesday said he would nominate Kirkland & Ellis LLP partner Jeffrey Bossert Clark, who represented BP Exploration & Production Inc. during the litigation surrounding the Deepwater Horizon disaster, to serve as assistant attorney general for the U.S. Department of Justice's Environment and Natural Resources Division. Read more »

Michelle Lee Resigns As USPTO Director

U.S. Patent and Trademark Office Director Michelle Lee resigned from her post on Tuesday, the Trump administration announced. Read more »

= 9

Analysis

IRS Service Advances Leaving Tax Pros Behind, Olson Says

= 9 While the IRS has been working on a web-based service initiative in an attempt to overhaul the taxpayer experience, practitioner needs have largely been left out of those modernization efforts, National Taxpayer

Campbell Campbell Edwards

Chadbourne & Parke

Clark Hill

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Clifford Chance

Covington & Burling

Davis Polk

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Dickstein Shapiro

Eagan Avenatti

Fenwick & West

Foster Swift

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Fraser Trebilcock

Hart McLaughlin

Haynes and Boone

Hogan Lovells

Holland & Knight

KaiserDillon

Kellogg Hansen

Kirkland & Ellis

Kotz Sangster

Latham & Watkins

Maddin Hauser

McKool Smith

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Norton Rose Fulbright

Panish Shea

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Plunkett Cooney

Proskauer Rose

Quarles & Brady

Reed Smith

Sanford Heisler

Scarinci Hollenbeck

= 9

Sedgwick LLP

Advocate Nina Olson told Law360 in a recent interview. [Read more »](#)

16 States Back Trump's Travel Ban In Amicus Brief

Sixteen states filed an amicus brief in the U.S. Supreme Court on Tuesday in support of President Donald Trump's travel ban on nationals from six Muslim-majority nations, arguing that the Constitution does not protect nonresident immigrants entering the U.S. and that the court must presume the executive order was valid and drafted in good faith. = 9 [Read more »](#)

Senate Passes VA Reform Bill Allowing For Easier Firing

The Senate on Tuesday passed a series of reforms to the U.S. Department of Veterans Affairs, in a bipartisan bill intended to increase whistleblower protections and allow VA managers greater ability to fire employees. [Read more »](#)

= 9 **ENERGY & ENVIRONMENTAL**
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Senate Panel OKs FERC Noms, BigLaw Atty As DOI No. 2

The Federal Energy Regulatory Commission could soon be up and running again after a Senate panel advanced two new members Tuesday, as part of a slate of President Donald Trump's nominees including a Brownstein Hyatt Farber & Schreck LLP partner for a Department of the Interior post. [Read more »](#)

= 9

House Dems Look To Institutionalize Enviro Justice Offices

Three House Democrats on Monday introduced a package of legislation intended to enshrine a commitment to environmental justice into law

Thompson Hine
Venable LLP

COMPANIES

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Amazon.com Inc.

American Bar Association

= 9

American Civil Liberties Union

American Federation of Labor and
Congress of Industrial
Organizations

American Federation of State,
County and Municipal Employees
American International Group Inc.

= 9

Association of American Railroads
BP p.l.c.

= 9

Broadcom Ltd.

California Teachers Association

Carlyle Group LP

Caterpillar Inc.

= 9

Chevron Corporation

Computer & Communications
Industry Association

Costco Wholesale Corporation

Entertainment Software
Association

Etsy Inc.

Facebook

Federalist Society

Florida Bar Association

Google Inc.

Home Depot, Inc.

IMF Bentham Ltd.

Imperial Sugar Company

LinkedIn Corp.

Major League Soccer LLC

and ensure the White House and the U.S. Environmental Protection Agency have staffers dedicated to those issues. [Read more »](#)

7 Democratic AGs Challenge Trump's EPA Over Pesticide

A coalition of seven Democratic attorneys general on Monday challenged a decision by the Trump administration's Environmental Protection Agency to delay new safety rules on a common pesticide found to harm children's development, arguing that the agency violated federal law by refusing to institute safety standards. [Read more »](#)

DC Circ. Won't Rethink Challenge To EPA Sewage Rule Method

The D.C. Circuit declined Tuesday to rethink its conclusion that it lacks jurisdiction to hear an industry coalition's challenge of the U.S. Environmental Protection Agency's decision to apply the Eighth Circuit's finding that the agency improperly crafted water pollution rules only to states within that circuit court's jurisdiction. [Read more »](#)

MEDIA & ENTERTAINMENT

Senate Dems Seek Hearing On Sinclair-Tribune Deal

Eight Senate Democrats on Monday asked the chairmen of the Senate Commerce and Judiciary committees to conduct hearings on the proposed Tribune-Sinclair merger and on a Federal Communications Commission media ownership rule change helping make way for the deal. [Read more »](#)

Pa. Appeals Court Won't Revive Ex-Rep's Defamation Suit

A Pennsylvania appellate court agreed Tuesday to throw out a former state representative's efforts to revive defamation claims against a CBS affiliate in Pittsburgh after he failed to make required filings. = 9 [Read more »](#)

Mercury Public Affairs

= 9

National Immigration Law Center

National Right to Work Legal Defense Foundation

= 9

Natural Resources Defense Council

Netflix Inc.

New York University

Pittsburgh Penguins

Range Resources Corporation

Raytheon Company

Reddit Inc.

Service Employees International Union

Sinclair Broadcast Group, Inc.

Sprint Nextel Corporation

Tencent Holdings

Tribune Media Co.

Tyler Technologies, Inc.

U.S. Chamber of Commerce

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Verizon Communications

Warburg Pincus LLC

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GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services

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Central Intelligence Agency

Congressional Budget Office

Department of Commerce

Employment and Training Administration

European Union

= 9

Executive Office of the President

Federal Aviation Administration

REAL ESTATE

= 9

NJ Developer Ducks Challenges Over Apartment Buildings

= 9 A New Jersey state appeals court on Tuesday refused to disturb the municipal approvals granted for two apartment complexes in Elizabeth, New Jersey, knocking down challenges that the developer claims were made on behalf of a competitor. Read more »

Beckham Wins Approval For Miami Soccer Stadium Land Deal

Soccer legend David Beckham on Tuesday took a major step toward bringing a Major League Soccer expansion team to Miami, Florida, as county commissioners approved a \$9 million land sale that allows his ownership group to complete a proposed stadium site near the city's downtown. Read more » = 9

EMPLOYMENT

Ill. Public Workers Take Union Fee, Rep Suits To High Court

A pair of Illinois suits appealed to the U.S. Supreme Court on Tuesday aim to weaken the political influence of public employee unions by challenging the constitutionality of "fair share fees" paid to unions and "exclusive representation" by the unions. Read more » = 9

Fla. Court Affirms Governor's Veto Of Firefighters' Raise

= A A Florida appeals court Tuesday affirmed dismissal of an unfair labor charge against the governor for vetoing a budget appropriation that granted state-employed firefighters a raise, ruling the governor has clear constitutional authority to veto specific appropriations bill provisions, and the Legislature let the veto stand. Read more » = 9

PRIVACY & CONSUMER PROTECTION

Federal Bureau of Investigation

Federal Communications Commission

Federal Energy Regulatory Commission

Government Accountability Office

Internal Revenue Service

International Monetary Fund

National Economic Council

= A

New York Attorney General's Office

Pennsylvania Public Utility Commission

Pennsylvania Supreme Court

U.S. Department of Defense

U.S. Department of Education

U.S. Department of Energy

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

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U.S. Department of Transportation

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U.S. Department of Veterans Affairs

U.S. Department of the Interior

U.S. Environmental Protection Agency

U.S. House of Representatives

U.S. Patent and Trademark Office

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U.S. Senate

U.S. Supreme Court

Wage and Hour Division

World Trade Organization

Senate OKs Kellogg Hansen Partner As CIA General Counsel

The Central Intelligence Agency could soon have a new general counsel after the Senate voted to confirm a Kellogg Hansen Todd Figel & Frederick PLLC partner and Bush administration veteran to the post Tuesday. [Read more »](#)

PRODUCT LIABILITY

= 9

Judge Allows Flint Residents' Constitutional Suit To Proceed

Flint residents on Monday saw a Michigan federal court keep alive a lawsuit lodging constitutional claims against the city, its former emergency managers and some state officials for parts played in Flint's water contamination crisis. [Read more »](#)

= 9INTERNATIONAL TRADE

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US, Mexico Reach Revised Sugar Trade Agreement

Officials from the U.S. and Mexico announced Tuesday that they have reached an agreement in principle to revise a deal regarding the suspension of anti-dumping and countervailing duties on Mexican sugar, a move that comes after U.S. companies raised red flags over alleged flaws in the initial agreement. [Read more »](#)

= 9

China Cybersecurity Law Raises Trade Concerns: Tech Group

The Computer & Communications Industry Association told the president's National Economic Council on Monday that China's new cybersecurity law could harm trade and might violate the country's international commitments, saying the administration must urge China to

change course on the “damaging” policies.
Read more »

TAX
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Gaming Group Hits Chicago With Another 'Netflix Tax' Suit

= A

A video gaming industry association joined Netflix customers in challenging Chicago’s so-called Netflix tax by filing a lawsuit of its own Monday that claims an interpretation of the city’s amusement tax illegally discriminates against online games. Read more »

IMMIGRATION

= 9

'Giuliani Memo' Moot In Travel Ban Case, Trump Admin Says

The federal government has countered allegations that it is obstructing the release of a memo drafted by former New York Mayor Rudy Giuliani that supposedly outlines President Donald Trump’s controversial travel ban, saying Monday that it’s inappropriate to probe beyond Trump’s stated national security purpose for the now-blocked measure. Read more »

Labor Sec. Signals Scrutiny Of Visa Program Abuse

The head of the U.S. Department of Labor signaled Tuesday that the agency will be taking a tough stance on visa abuse and hinted at an increased utilization of criminal referrals, while the department noted that updates may be on the horizon for an application used for H-1B visas. Read more »

TELECOMMUNICATIONS

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Amazon, Mozilla Plan Net Neutrality E-Protest

A range of online companies and advocacy groups are planning a July 12 online protest to "save net neutrality" as the Federal Communications Commission weighs nixing the Obama-era Open Internet Order, with Amazon.com Inc., Mozilla Corp. and Etsy Inc. among the participants. [Read more »](#)

= 9 FCC Warned Paperwork Change May Raise Pole Rates

= 9

A Federal Communications Commission vote to nix a regulatory reporting requirement for carriers deemed unnecessary will likely lead to increased rates for pole attachments, an internet and television trade group warned Monday, undermining the agency's policy goals for broadband. [Read more »](#)

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TEXAS

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Texas Gov. Announces July Special Legislative Session

Texas Gov. Greg Abbott announced Tuesday that the state's Legislature will meet for a special session, beginning on July 18, to consider issues ranging from limits on local and state government spending caps to health care and social issues. = 9 [Read more »](#)

WHITE COLLAR

Philly DA Can't Shake Charges Of Misusing PAC Money, Autos

A Pennsylvania federal judge declined to dismiss charges accusing Philadelphia District Attorney Seth Williams of misusing both money from his political action committee and publicly

owned vehicles in a pair of orders issued Monday and Tuesday. [Read more »](#)

PEOPLE

Venable Hires Ex-DOJ Legislative Affairs Officials In DC

Two former officials in the U.S. Department of Justice in charge of handling congressional affairs joined Venable LLP this week, adding to the firm's capacity to represent clients in a range of government investigations. [Read more »](#)

= 9

Ex-US Sen. David Vitter Joins Butler Snow In La.

Butler Snow PLLC said Tuesday that former U.S. Sen. David Vitter has joined the firm's business department in Louisiana, where he will help grow and shape the firm's presence in the state. [Read more »](#)

EXPERT ANALYSIS

= 9

When Russia Investigations Collide

As a former acting general counsel for the U.S. House of Representatives, I have been getting a lot of questions about what might be in store with the concurrent investigations into Russia's possible influence on the 2016 election. To grasp the potential for conflict, it's helpful to understand the key players and their respective powers, says William Pittard of KaiserDillon PLLC. [Read more »](#)

= 9

Opinion

Big Business Lobby Tries To Hobble Litigation Finance, Again

In its most recent petition advocating mandatory disclosure of litigation finance, the U.S. Chamber of Commerce simply rehashes the same arguments from its previous failed efforts to convince the Committee on Rules of Practice

and Procedure of the dire implications of undisclosed funding relationships, say members of litigation funder IMF Benthams Ltd. [Read more »](#)

LEGAL INDUSTRY

3 Tips For Finding The Right Fee Arrangement

Finding a value-based fee arrangement that works for both law firm and client can be tricky, but the process can be simplified by balancing the complexity of the work with client expectations, according to a Monday presentation at the ACC Legal Operations conference in Chicago. [Read more »](#)

= 9

Chadbourne Still Stalling On Discovery, Female Lawyers Say

Chadbourne & Parke LLP is stonewalling on discovery in a \$100 million proposed gender bias class action until the firm's bid to toss the case plays out, the female attorneys behind the suit told a New York federal court Monday. [Read more »](#)

Davis Polk Partner In Calif. Hit By Train, Killed

Davis Polk & Wardwell LLP partner and head of its India practice Kirtee Kapoor died on Monday after reportedly being struck by a train in a Northern California town near Menlo Park. [Read more »](#)

= 9

Legal Tech Download: Magic Circle AI And Hogan Lovells' App

The world of legal technology is quickly evolving, with new products aimed at aiding lawyers coming to market in rapid succession. Here, Law360 takes a look at seven major recent developments in legal tech. [Read more »](#)

Latham 'Hoodwinked' IP Suit Judge, Calif. High Court Told

Two ex-Flir Systems executives urged the California Supreme Court Tuesday to revive their malicious prosecution claims against Latham & Watkins LLP for bringing a trade secrets suit in bad faith, arguing Latham's initial success "hoodwinking" a lower court judge can't now preclude suing the firm. [Read more »](#)

Fla. Bar Urges 3-Judge Panels For County Court Appeals

The Florida Bar urged the state Supreme Court on Tuesday to adopt rules requiring that appeals from county courts be heard by three-judge panels, a change some justices said could strain resources in small counties. [Read more »](#)

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Legal Analyst (Paralegal)

= 9 Metropolitan Water District
Los Angeles, California

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Wednesday, June 7, 2017



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Analysis

Red-State Cities Face Uphill Battle To Keep Paris Pledge

Scores of U.S. cities say they will honor the goals laid out by the Paris climate agreement despite President Donald Trump's vow to pull out of the deal, but cities in climate-policy-resistant Republican states won't have as much leeway to clamp down on greenhouse gas

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Brownstein Hyatt
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Bush Seyferth
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Butler Snow LLP
Butzel Long

emissions as their blue-state counterparts, experts say. = 9 [Read more »](#) = A

Analysis

Key Questions About Move To Privatize Air Traffic Control = 9

President Donald Trump's full-throated backing of efforts to spin off air traffic control functions from the Federal Aviation Administration into a nonprofit, nongovernmental organization is an opening salvo in what's likely to be a pitched political battle over revamping a central component of the nation's air travel system. Here are several key questions that Congress will have to answer when it tackles negotiations on ATC reform. [Read more »](#)

= 9

Trump Picks Kirkland & Ellis Partner For Top DOJ Enviro Spot

President Donald Trump on Tuesday said he would nominate Kirkland & Ellis LLP partner Jeffrey Bossert Clark, who represented BP Exploration & Production Inc. during the litigation surrounding the Deepwater Horizon disaster, to serve as assistant attorney general for the U.S. Department of Justice's Environment and Natural Resources Division. [Read more »](#)

Michelle Lee Resigns As USPTO Director

U.S. Patent and Trademark Office Director Michelle Lee resigned from her post on Tuesday, the Trump administration announced. [Read more »](#)

= 9

Analysis

IRS Service Advances Leaving Tax Pros Behind, Olson Says

= 9 While the IRS has been working on a web-based service initiative in an attempt to overhaul the taxpayer experience, practitioner needs have largely been left out of those modernization efforts, National Taxpayer

Campbell Campbell Edwards
Chadbourn & Parke

Clark Hill

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Clifford Chance

Covington & Burling

Davis Polk

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Dickstein Shapiro

Eagan Avenatti

Fenwick & West

Foster Swift

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Fraser Trebilcock

Hart McLaughlin

Haynes and Boone

Hogan Lovells

Holland & Knight

KaiserDillon

Kellogg Hansen

Kirkland & Ellis

Kotz Sangster

Latham & Watkins

Maddin Hauser

McKool Smith

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Norton Rose Fulbright

Panish Shea

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Plunkett Cooney

Proskauer Rose

Quarles & Brady

Reed Smith

Sanford Heisler

Scarinci Hollenbeck

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Sedgwick LLP

Advocate Nina Olson told Law360 in a recent interview. [Read more »](#)

16 States Back Trump's Travel Ban In Amicus Brief

Sixteen states filed an amicus brief in the U.S. Supreme Court on Tuesday in support of President Donald Trump's travel ban on nationals from six Muslim-majority nations, arguing that the Constitution does not protect nonresident immigrants entering the U.S. and that the court must presume the executive order was valid and drafted in good faith. = 9 [Read more »](#)

Senate Passes VA Reform Bill Allowing For Easier Firing

The Senate on Tuesday passed a series of reforms to the U.S. Department of Veterans Affairs, in a bipartisan bill intended to increase whistleblower protections and allow VA managers greater ability to fire employees. [Read more »](#)

= 9 **ENERGY & ENVIRONMENTAL**
= 9

= 9

Senate Panel OKs FERC Noms, BigLaw Atty As DOI No. 2

The Federal Energy Regulatory Commission could soon be up and running again after a Senate panel advanced two new members Tuesday, as part of a slate of President Donald Trump's nominees including a Brownstein Hyatt Farber & Schreck LLP partner for a Department of the Interior post. [Read more »](#)

= 9

House Dems Look To Institutionalize Enviro Justice Offices

Three House Democrats on Monday introduced a package of legislation intended to enshrine a commitment to environmental justice into law

Thompson Hine
Venable LLP

COMPANIES

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Amazon.com Inc.

American Bar Association

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American Civil Liberties Union

American Federation of Labor and Congress of Industrial Organizations

American Federation of State, County and Municipal Employees

American International Group Inc.

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Association of American Railroads

BP p.l.c.

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Broadcom Ltd.

California Teachers Association

Carlyle Group LP

Caterpillar Inc.

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Chevron Corporation

Computer & Communications Industry Association

Costco Wholesale Corporation

Entertainment Software Association

Etsy Inc.

Facebook

Federalist Society

Florida Bar Association

Google Inc.

Home Depot, Inc.

IMF Bentham Ltd.

Imperial Sugar Company

LinkedIn Corp.

Major League Soccer LLC

and ensure the White House and the U.S. Environmental Protection Agency have staffers dedicated to those issues. [Read more »](#)

7 Democratic AGs Challenge Trump's EPA Over Pesticide

A coalition of seven Democratic attorneys general on Monday challenged a decision by the Trump administration's Environmental Protection Agency to delay new safety rules on a common pesticide found to harm children's development, arguing that the agency violated federal law by refusing to institute safety standards. [Read more »](#)

DC Circ. Won't Rethink Challenge To EPA Sewage Rule Method

The D.C. Circuit declined Tuesday to rethink its conclusion that it lacks jurisdiction to hear an industry coalition's challenge of the U.S. Environmental Protection Agency's decision to apply the Eighth Circuit's finding that the agency improperly crafted water pollution rules only to states within that circuit court's jurisdiction. [Read more »](#)

MEDIA & ENTERTAINMENT

Senate Dems Seek Hearing On Sinclair-Tribune Deal

Eight Senate Democrats on Monday asked the chairmen of the Senate Commerce and Judiciary committees to conduct hearings on the proposed Tribune-Sinclair merger and on a Federal Communications Commission media ownership rule change helping make way for the deal. [Read more »](#)

Pa. Appeals Court Won't Revive Ex-Rep's Defamation Suit

A Pennsylvania appellate court agreed Tuesday to throw out a former state representative's efforts to revive defamation claims against a CBS affiliate in Pittsburgh after he failed to make required filings. = 9 [Read more »](#)

Mercury Public Affairs

= 9

National Immigration Law Center

National Right to Work Legal Defense Foundation

= 9

Natural Resources Defense Council

Netflix Inc.

New York University

Pittsburgh Penguins

Range Resources Corporation

Raytheon Company

Reddit Inc.

Service Employees International Union

Sinclair Broadcast Group, Inc.

Sprint Nextel Corporation

Tencent Holdings

Tribune Media Co.

Tyler Technologies, Inc.

U.S. Chamber of Commerce

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Verizon Communications

Warburg Pincus LLC

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GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services

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Central Intelligence Agency

Congressional Budget Office

Department of Commerce

Employment and Training Administration

European Union

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Executive Office of the President

Federal Aviation Administration

REAL ESTATE

= 9

NJ Developer Ducks Challenges Over Apartment Buildings

= 9 A New Jersey state appeals court on Tuesday refused to disturb the municipal approvals granted for two apartment complexes in Elizabeth, New Jersey, knocking down challenges that the developer claims were made on behalf of a competitor. Read more »

Beckham Wins Approval For Miami Soccer Stadium Land Deal

Soccer legend David Beckham on Tuesday took a major step toward bringing a Major League Soccer expansion team to Miami, Florida, as county commissioners approved a \$9 million land sale that allows his ownership group to complete a proposed stadium site near the city's downtown. Read more » = 9

EMPLOYMENT

Ill. Public Workers Take Union Fee, Rep Suits To High Court

A pair of Illinois suits appealed to the U.S. Supreme Court on Tuesday aim to weaken the political influence of public employee unions by challenging the constitutionality of "fair share fees" paid to unions and "exclusive representation" by the unions. Read more » = 9

Fla. Court Affirms Governor's Veto Of Firefighters' Raise

= A A Florida appeals court Tuesday affirmed dismissal of an unfair labor charge against the governor for vetoing a budget appropriation that granted state-employed firefighters a raise, ruling the governor has clear constitutional authority to veto specific appropriations bill provisions, and the Legislature let the veto stand. Read more » = 9

PRIVACY & CONSUMER PROTECTION

Federal Bureau of Investigation

Federal Communications Commission

Federal Energy Regulatory Commission

Government Accountability Office

Internal Revenue Service

International Monetary Fund

National Economic Council

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New York Attorney General's Office

Pennsylvania Public Utility Commission

Pennsylvania Supreme Court

U.S. Department of Defense

U.S. Department of Education

U.S. Department of Energy

U.S. Department of Health and Human Services

U.S. Department of Homeland Security

U.S. Department of Justice

U.S. Department of Labor

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U.S. Department of Transportation

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U.S. Department of Veterans Affairs

U.S. Department of the Interior

U.S. Environmental Protection Agency

U.S. House of Representatives

U.S. Patent and Trademark Office

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U.S. Senate

U.S. Supreme Court

Wage and Hour Division

World Trade Organization

Senate OKs Kellogg Hansen Partner As CIA General Counsel

The Central Intelligence Agency could soon have a new general counsel after the Senate voted to confirm a Kellogg Hansen Todd Figel & Frederick PLLC partner and Bush administration veteran to the post Tuesday. [Read more »](#)

PRODUCT LIABILITY

= 9

Judge Allows Flint Residents' Constitutional Suit To Proceed

Flint residents on Monday saw a Michigan federal court keep alive a lawsuit lodging constitutional claims against the city, its former emergency managers and some state officials for parts played in Flint's water contamination crisis. [Read more »](#)

= 9INTERNATIONAL TRADE

= 9

US, Mexico Reach Revised Sugar Trade Agreement

Officials from the U.S. and Mexico announced Tuesday that they have reached an agreement in principle to revise a deal regarding the suspension of anti-dumping and countervailing duties on Mexican sugar, a move that comes after U.S. companies raised red flags over alleged flaws in the initial agreement. [Read more »](#)

= 9

China Cybersecurity Law Raises Trade Concerns: Tech Group

The Computer & Communications Industry Association told the president's National Economic Council on Monday that China's new cybersecurity law could harm trade and might violate the country's international commitments, saying the administration must urge China to

change course on the "damaging" policies.

[Read more »](#)

TAX

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Gaming Group Hits Chicago With Another 'Netflix Tax' Suit

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A video gaming industry association joined Netflix customers in challenging Chicago's so-called Netflix tax by filing a lawsuit of its own Monday that claims an interpretation of the city's amusement tax illegally discriminates against online games. [Read more »](#)

IMMIGRATION

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'Giuliani Memo' Moot In Travel Ban Case, Trump Admin Says

The federal government has countered allegations that it is obstructing the release of a memo drafted by former New York Mayor Rudy Giuliani that supposedly outlines President Donald Trump's controversial travel ban, saying Monday that it's inappropriate to probe beyond Trump's stated national security purpose for the now-blocked measure. [Read more »](#)

Labor Sec. Signals Scrutiny Of Visa Program Abuse

The head of the U.S. Department of Labor signaled Tuesday that the agency will be taking a tough stance on visa abuse and hinted at an increased utilization of criminal referrals, while the department noted that updates may be on the horizon for an application used for H-1B visas. [Read more »](#)

TELECOMMUNICATIONS

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Amazon, Mozilla Plan Net Neutrality E-Protest

A range of online companies and advocacy groups are planning a July 12 online protest to "save net neutrality" as the Federal Communications Commission weighs nixing the Obama-era Open Internet Order, with Amazon.com Inc., Mozilla Corp. and Etsy Inc. among the participants. [Read more »](#)

= 9 FCC Warned Paperwork Change May Raise Pole Rates

= 9

A Federal Communications Commission vote to nix a regulatory reporting requirement for carriers deemed unnecessary will likely lead to increased rates for pole attachments, an internet and television trade group warned Monday, undermining the agency's policy goals for broadband. [Read more »](#)

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TEXAS

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Texas Gov. Announces July Special Legislative Session

Texas Gov. Greg Abbott announced Tuesday that the state's Legislature will meet for a special session, beginning on July 18, to consider issues ranging from limits on local and state government spending caps to health care and social issues. = 9 [Read more »](#)

WHITE COLLAR

Philly DA Can't Shake Charges Of Misusing PAC Money, Autos

A Pennsylvania federal judge declined to dismiss charges accusing Philadelphia District Attorney Seth Williams of misusing both money from his political action committee and publicly

owned vehicles in a pair of orders issued Monday and Tuesday. [Read more »](#)

PEOPLE

Venable Hires Ex-DOJ Legislative Affairs Officials In DC

Two former officials in the U.S. Department of Justice in charge of handling congressional affairs joined Venable LLP this week, adding to the firm's capacity to represent clients in a range of government investigations. [Read more »](#)

= 9

Ex-US Sen. David Vitter Joins Butler Snow In La.

Butler Snow PLLC said Tuesday that former U.S. Sen. David Vitter has joined the firm's business department in Louisiana, where he will help grow and shape the firm's presence in the state. [Read more »](#)

EXPERT ANALYSIS

= 9

When Russia Investigations Collide

As a former acting general counsel for the U.S. House of Representatives, I have been getting a lot of questions about what might be in store with the concurrent investigations into Russia's possible influence on the 2016 election. To grasp the potential for conflict, it's helpful to understand the key players and their respective powers, says William Pittard of KaiserDillon PLLC. [Read more »](#)

= 9

Opinion

Big Business Lobby Tries To Hobble Litigation Finance, Again

In its most recent petition advocating mandatory disclosure of litigation finance, the U.S. Chamber of Commerce simply rehashes the same arguments from its previous failed efforts to convince the Committee on Rules of Practice

and Procedure of the dire implications of undisclosed funding relationships, say members of litigation funder IMF Bentham Ltd. [Read more »](#)

LEGAL INDUSTRY

3 Tips For Finding The Right Fee Arrangement

Finding a value-based fee arrangement that works for both law firm and client can be tricky, but the process can be simplified by balancing the complexity of the work with client expectations, according to a Monday presentation at the ACC Legal Operations conference in Chicago. [Read more »](#)

= 9

Chadbourn Still Stalling On Discovery, Female Lawyers Say

Chadbourn & Parke LLP is stonewalling on discovery in a \$100 million proposed gender bias class action until the firm's bid to toss the case plays out, the female attorneys behind the suit told a New York federal court Monday. [Read more »](#)

Davis Polk Partner In Calif. Hit By Train, Killed

Davis Polk & Wardwell LLP partner and head of its India practice Kirtee Kapoor died on Monday after reportedly being struck by a train in a Northern California town near Menlo Park. [Read more »](#)

= 9

Legal Tech Download: Magic Circle AI And Hogan Lovells' App

The world of legal technology is quickly evolving, with new products aimed at aiding lawyers coming to market in rapid succession. Here, Law360 takes a look at seven major recent developments in legal tech. [Read more »](#)

Latham 'Hoodwinked' IP Suit Judge, Calif. High Court Told

Two ex-Flir Systems executives urged the California Supreme Court Tuesday to revive their malicious prosecution claims against Latham & Watkins LLP for bringing a trade secrets suit in bad faith, arguing Latham's initial success "hoodwinking" a lower court judge can't now preclude suing the firm. [Read more »](#)

Fla. Bar Urges 3-Judge Panels For County Court Appeals

The Florida Bar urged the state Supreme Court on Tuesday to adopt rules requiring that appeals from county courts be heard by three-judge panels, a change some justices said could strain resources in small counties. [Read more »](#)

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Thursday, April 20, 2017



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TOP NEWS

High Court Asked To Review SBA Disadvantaged Biz Program

= 9 An information technology contractor has asked the U.S. Supreme Court to review a D.C. Circuit decision upholding the U.S. Small Business Administration's 8(a) program for disadvantaged small businesses, arguing the panel's majority failed to recognize that the program involves racial classification that requires strict scrutiny. [Read more »](#)

GSA Set To Reorganize HR Purchasing Schedule

The U.S. General Services Administration announced Wednesday that it would shake up its human resources purchasing schedule to make HR contracting easier for agencies, the day after it said it intends to redesign a

LAW FIRMS

Bonnett Fairbourn
Chimicles & Tikellis
Cohen Milstein
Covington & Burling
Crowell & Moring
Dentons
Foley Hoag
Freshfields
Goldstein & Russell
Kirkland & Ellis
Musick Peeler
O'Melveny & Myers
Paul Weiss
Richards Layton
= 9
Robbins Geller
Sidley Austin

contracting vehicle covering contact center services and technology. Read more »

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Border Wall Could Cost \$67B, Senate Democrats Claim

A report issued on Tuesday by Senate Democrats claims that the Trump administration has severely underestimated the expense and time needed to build its planned southern border wall project, saying the project could cost around \$67 billion and be tied up in land acquisition negotiations and disputes for more than a decade. Read more »

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Pentagon Innovation Unit Awards 13 Deals Totaling \$12.3M = 9

The U.S. Department of Defense office responsible for outreach to commercial technology firms said Tuesday it had signed 13 new deals in the first half of fiscal year 2017, worth a combined \$12.3 million, building on the dozen initial contracts it signed in fiscal 2016. Read more »

POLICY & REGULATION

= 9

FCC Chairman Slams 'Serious Flaws' In E-Rate Program

Federal Communications Commission Chairman Ajit Pai on Tuesday told the administrator of the E-Rate FCC program, which subsidizes broadband service for schools and libraries, that there are "serious flaws" in how it is being administered. Read more » = 9

LITIGATION

KBR Slams Gov't Bid To Stop ASBCA Case In \$150M FCA Row

KBR Inc. blasted federal prosecutors on Tuesday for their "unprecedented" efforts to avoid related litigation before another body while pursuing a \$150 million Illinois federal

Vinson & Elkins

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WilmerHale

Young Conaway

COMPANIES

BTI Consulting Group Inc.

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BioScrip, Inc.

CIT Group Inc.

Cardinal Health Inc.

Duke Energy Corporation

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First Interstate Bancsystem Inc.

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Gilead Sciences Inc.

Intercept Pharmaceuticals Inc.

International Centre for Settlement of Investment Disputes

Janus Capital Group Inc.

KBR, Inc.

Kohlberg & Co. LLC

Leidos Holdings Inc.

Morgan Stanley

Motorola Solutions Inc.

NVIDIA Corporation

New Balance Inc.

Novartis AG

Pfizer Inc.

PricewaterhouseCoopers

SAIC Inc.

Sanofi-Aventis

Sprint Nextel Corporation

Stoneridge, Inc.

VCG Holding Corp.

Zeughauser Group LLC

= 9

GOVERNMENT AGENCIES

court False Claims Act suit alleging the company overcharged for soldier housing in the early days of the Iraq War. [Read more »](#)

Gilead's Unapproved Drug Plant Flouted FCA, 9th Circ. Told

Two former Gilead Sciences quality control staffers asked a Ninth Circuit panel Wednesday to revive allegations Gilead illegally sought government reimbursements for drugs made at an unapproved plant in China, saying the requests violated the False Claims Act because the medications' U.S. Food and Drug Administration approvals were obtained by fraud. [Read more »](#)

BioScrip Investors Lose Suit After Targeting Different Board

A once-rejected investor lawsuit seeking damages on behalf of BioScrip Inc. for alleged director and consultant liability in False Claims Act kickback and fraud schemes on Tuesday failed again in Delaware Chancery Court despite its rare offer of a second chance to sue. [Read more »](#)

= A

El Salvador Freezes \$1.7M OceanaGold Assets In Mining Row

El Salvador has frozen \$1.7 million in assets belonging to OceanaGold Corp. following a decision by an International Centre for Settlement of Investment Disputes tribunal to award the country \$8 million in costs following a failed arbitration over a stymied gold mining project, according to a Tuesday announcement. [Read more »](#)

EXPERT ANALYSIS

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4 Takeaways From The 'Buy American' Executive Order

Following Tuesday's executive order, government contractors should expect agencies to significantly increase their efforts to monitor

Centers for Medicare & Medicaid Services

Delaware Court of Chancery

Executive Office of the President

Federal Bureau of Investigation

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Federal Communications Commission

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Food and Drug Administration

Government Accountability Office

Securities and Exchange Commission

= 9

Small Business Administration

U.S. Army

U.S. Customs and Border Protection

U.S. Department of Defense

U.S. Department of Homeland Security

U.S. Department of Housing and Urban Development

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U.S. Department of Justice

U.S. General Services Administration

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U.S. Office of Personnel Management

U.S. Supreme Court

contractor compliance with "Buy American" laws and to enforce contractor noncompliance — possibly through civil or criminal False Claims Act violations, contract terminations and suspension or debarment, say attorneys with Covington & Burling LLP. [Read more »](#)

Big Stakes In High Court's Securities Fraud Omissions Case

= 9 Leidos v. Indiana Public Retirement System, which the U.S. Supreme Court will hear this year, presents potentially far-reaching questions, ranging from the U.S. Securities and Exchange Commission's role in interpreting Section 10(b) to courts' role in creating a federal common law of disclosure duties, say Stephen Cohen and Daniel McLaughlin of Sidley Austin LLP. [Read more »](#)

Series

Counsel To Counsel: A Law Firm GC's Data Protection Duties

Increasingly, we see companies in all industries seeking to perform various levels of due diligence on our information security defenses. We received three times as many diligence requests from clients and prospective clients in 2016 as we did in 2015. Some clients even conduct their own penetration tests, says Thomas White, general counsel of WilmerHale. [Read more »](#) = 9

LEGAL INDUSTRY

BigLaw Views Partner Layoffs Like Dentons' As Good Biz

Global law firms are increasingly making tough decisions related to their partnerships as BigLaw's race to increase profits heats up, with recent reports detailing dozens of partner layoffs at Dentons and another major law firm, a move many in the industry view as good business. [Read more »](#)

NYPD Classifies NY Judge's Death As 'Suspicious'

The New York Police Department is viewing the death of New York associate appellate judge Sheila Abdus-Salaam as "suspicious," confirming Wednesday that although there is no evidence of criminality, more information is needed to uncover the cause and events leading up to her death. [Read more »](#)

Tales Of Doom And Gloom Can Help Win Cases = 9

The use of negative themes in legal briefs may be more effective in swaying judges than positive ones, but could have the potential to backfire and shift the needle in the wrong direction, according to a paper published Tuesday. [Read more »](#)

Plaintiffs Bar Perspective: Robbins Geller's Tor Gronborg

The adage that says the definition of insanity is doing something over and over again and expecting a different result doesn't apply to plaintiffs litigation. The appropriate adage may well be that if you hit your head against the wall for long enough, you will break through, says Tor Gronborg, partner at Robbins Geller Rudman & Dowd LLP. [Read more »](#)

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Leadership for
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OHIO COALITION FOR QUALITY EDUCATION



Constellation Schools - parents 'sign up' for Parents for Charter Schools

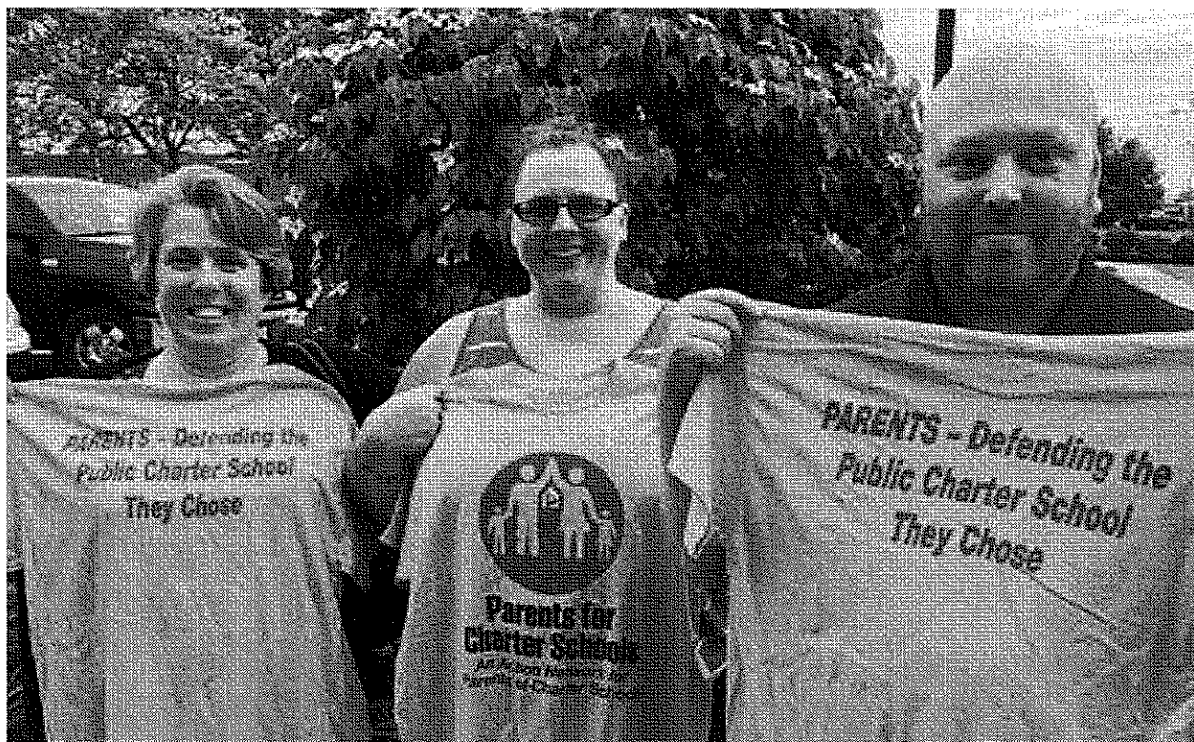
Constellation Schools is a premier management company of 21 outstanding public charter schools, all located within the greater Cleveland area. More parents want to defend their child's education and protect the public charter school that they chose. That's why they are signing up for - Parents for Charter Schools.

www.parents-charters.org

Lorain Community parents - Ms. Turner and Ms. Brown



Elyria Community parents - Ms. Janus, Ms. Hillbery and Mr. Wall



Each parent told their story about why they chose their Constellation School and why they feel passionate about their charter school. And they all gave the same reasons:

- * They love the small class sizes
- * The principal knows the names of every student
- * Their charter school offers a safe environment for their child
- * They love that parents are welcome in their charter school
- * They truly appreciate the character development that their charter school offers
- * Their child is excelling and are so happy at their charter school



Rebecca L. Keeney, Executive Director of Constellation Schools said, "All of us are so pleased that our parents are engaging with this new parent organization. We know that parents are the core of our charter schools and their voice can be a powerful force for their child's education."

Parents for Charter Schools Welcomes Constellation Schools Parents!

June 8, 2017



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Ohio Coalition for Quality Education, 1808 Sulky Trail, Miamisburg, OH 45342

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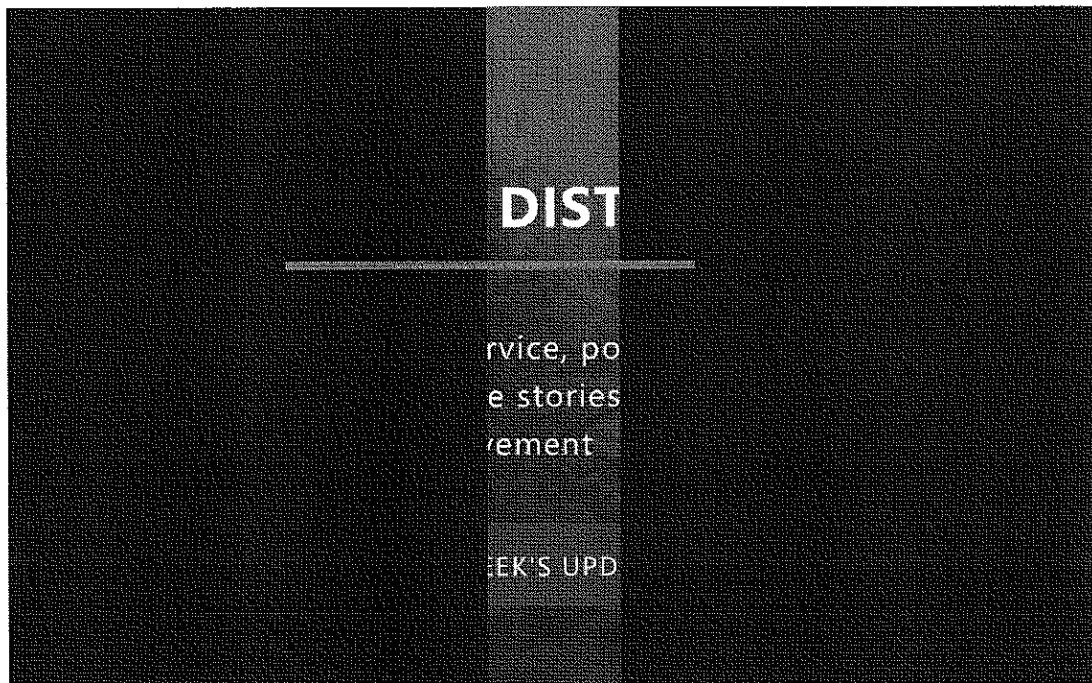
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4

updates

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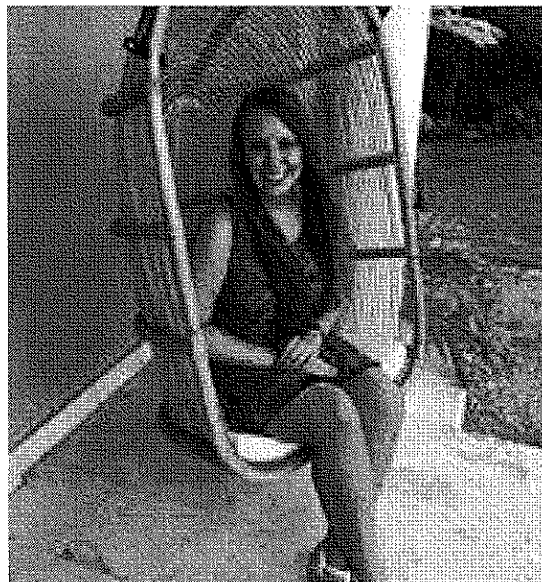
UNIVERSITY OF MOUNT UNION

Amanda Belz

was recognized for an accomplishment

Amanda Belz, a early childhodd education major of North Royalton, Ohio, has been named to the 2017 Homecoming Court at the University of Mount Union. Members of the Homecoming Court and candidates...

> [Read story and congratulate Amanda](#)



MARIETTA COLLEGE

Ellen Vichill, Eric Janus, and Kyler Damm were recognized for accomplishments at Marietta College.

> [Read about these students and congratulate them](#)

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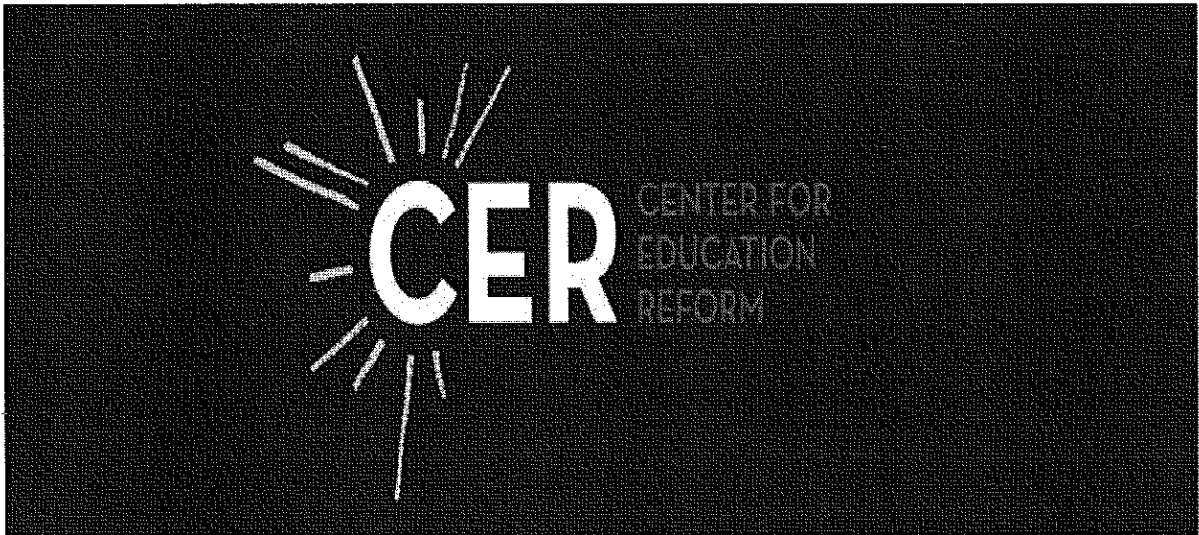
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October 4, 2017

Memo to Reporters

From: Jeanne Allen, founder & CEO, the Center for Education Reform

Re: U.S. Supreme Court case holds promise for teacher freedoms

Leaders of organizations and schools across the education reform arena are enthusiastic that on Thursday, September 28, the Supreme Court of the United States (SCOTUS) agreed to hear arguments in *Janus v. AFSCME*. The case was brought forth by Mark Janus, an Illinois Department of Healthcare and Family Services public employee who believes that forced unionism and the mandatory paying of fees violates his First Amendment rights. A favorable outcome in *Janus* could pave the way for a loosening on the stranglehold of other public sector employees compelled to pay mandatory union fees. Public school teachers, in particular, stand to benefit from the freedom that would allow them to make their own decisions as to whether or not they pay union dues and fees.

TOP 5 TAKEAWAYS IF SCOTUS RULES IN FAVOR OF *JANUS*:

- Free millions of workers – public school teachers included ? 3 from compelled association—a clear violation of the First Amendment
- Millions of workers will no longer be compelled to pay union fees when opting out of union representation
- In addition to more take-home pay, teachers will have more freedom to innovate when opting out of mandated association with teachers' unions
- A pro-Janus ruling will have no impact on the ability for unions to organize and function
- The union-employee relationship should improve as unions will demonstrate their value to existing and future members

The case has been winding its way through Federal courts since early 2015 and was stayed pending an outcome in *Friedrichs v. California Teachers Association*, a case that was deadlocked 4-4 after the tragic passing of Justice Antonin Scalia. While the *Janus* case was initially dismissed by U.S. District Court after that *Friedrichs* ruling, the employees, backed by the National Right to Work Foundation, appealed to the 7th U.S. Circuit Court of Appeals in October 2016 which, as expected, upheld the lower court's decision – paving the way for an appeal to the U.S. Supreme Court. On June 6, 2017, a petition for Writ of Certiorari was filed and later accepted by SCOTUS. Now the 40-year old ruling in *Abood v. Detroit Board of Education* which created the current system allowing mandatory fees paid to public unions could very well be overturned.

It's important to note that the case started with an executive order issued by Illinois Governor Bruce Rauner, who sought to abolish mandatory collective bargaining pending review of its constitutionality. Since 2012, six states have passed laws strengthening workers' rights and freedom from having to pay

mandatory union fees. What is most notable is at least three of these states are “blue-to-purple” states with historic ties to organized labor, including Michigan, Wisconsin and West Virginia. Following these laws, teachers’ union membership dropped 20% in Michigan and 58% in Wisconsin. More state policymakers throughout the country are focused on the upcoming *Janus* case review. With teachers’ union-driven pension rules and union-backed laws that protect uniform pay scales, eschew performance pay and mandate teacher tenure, the elimination of mandatory fees could impact the unions’ ability to wage political battles to defend their turf and oppose proposals that put student achievement and parental choice at the center of every education improvement effort.

CER believes that the *Janus* case holds great potential for employees and could dramatically improve union-employee relationships. Overturning *Abood* will allow for teachers to associate as they see fit, providing teachers more freedom and independence to better serve their students. This will not bar union organizing but ensure unions prove their value to each member. Unions should celebrate the opportunity to prove their value to employees rather than relying on mandatory fees.

Instead, it is evident by the recent teachers’ union attacks on education reform that the unions fear the freedom *Janus* may bring to teachers, particularly as their funds are declining. Randi Weingarten, president of the American Federation of Teachers, the nation’s second-largest teachers’ union, has also scoffed at the idea that teachers are entitled to the same First Amendment rights as other employees.

Historically, public support for mandatory agency fees is low, and most Americans are unaware that teachers are pressured to join unions and forced to pay union fees even when they decline to join. A June 2017 survey by Education Next found that teachers oppose mandatory fees 47% to 44%, while the general public is 44% to 37% opposed.

As the public’s attention turns to *Janus v. AFSCME*, it is important to note that this case is bigger than one public employee or one union — this case could improve

the learning experience for students by dramatically empowering teachers nationwide, and change the course of American education.

Members of the media interested in writing about this in any aspect, CER's team can provide insights and commentary, and connect reporters with parents, teachers and those on the ground who will be most affected by the outcome of the case.

MEDIA CONTACT: Tim Sullivan, *Chief Communications Officer*
tim@edreform.com | (443) 532-2445

Founded in 1993, the Center for Education Reform aims to expand educational opportunities that lead to improved economic outcomes for all Americans — particularly our youth — ensuring that conditions are ripe for innovation, freedom and flexibility throughout U.S. education.

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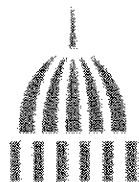
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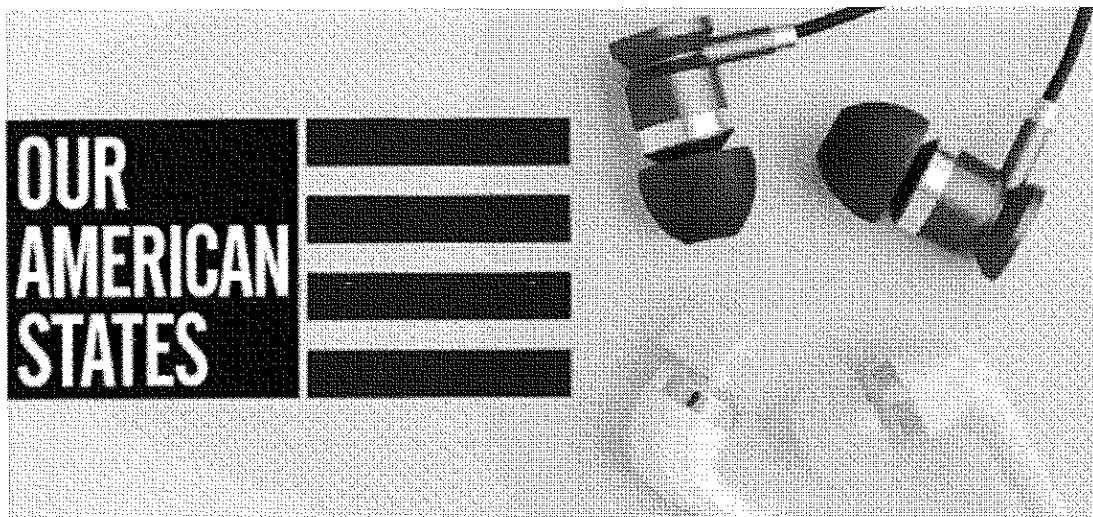
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NATIONAL CONFERENCE
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U.S. Supreme Court Cases to Watch This Term



Five cases that the U.S. Supreme Court has put on its docket for the current term could have a significant impact on states. State legislatures are waiting for decisions on these cases, and could

**Don't miss these
past episodes of
Our American
States:**

cause them to change state laws depending on how the court rules. And a potentially explosive sixth case is waiting in the wings.

Our guests this episode are **Lisa Soronen**, executive director of the State and Local Legal Center, and **Susan Frederick**, senior federal affairs counsel at NCSL.

The cases we examine are:

- *Gill v. Whitford*, a Wisconsin case in which the court may decide whether partisan gerrymandering is unconstitutional.
- *Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission*, looks at whether Colorado's public accommodations law violates a cake artist's First Amendment free speech and free exercise rights.
- *Janus v. American Federation of State, County and Municipal Employees* the court will address whether unions can collect dues from nonmembers.
- *Husted v. A. Philip Randolph Institute* looks at Ohio's procedures to remove voters from their rolls after four years of inactivity.
- *Christie v. National Collegiate Athletic Association* may decide how far Congress can regulate states and localities in the absence of comprehensive federal regulation.

And, as a bonus, we'll discuss what could happen if the court accepts a South Dakota case that could overturn the 1992 *Quill Corp v North Dakota*, which said states could not force business to collect sales or use taxes unless it has a physical presence in a state.

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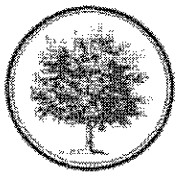
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THE BUCKEYE INSTITUTE

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In between the numerous "**Giving Tuesday**" emails you have likely received today, we hope you will take a minute to read Robert Alt's compelling **piece in Forbes**.

In the article, Robert argues that we need to change our laws in order to empower public-sector workers with the voting rights they deserve.

Who among us believes it is fair that these workers are being denied the right to vote and the ability to have a voice or a choice on which union represents them? Not your Buckeye Institute. We stand solidly in favor of **Worker Voting Rights** and believe workers deserve a voice and a choice in their representation.

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Buckeye President & CEO Robert Alt has been featured on more than 70 radio shows across the country in the past few months talking about Buckeye's Worker Voting Rights project, which is quickly gaining momentum, earning media attention, and catalyzing action.

As Robert describes in the Forbes piece in more detail (see below for the full article or [click through to Forbes directly](#)), the time has come and the time is right now for Worker Voting Rights.

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Forbes

It's Time For Public Sector Workers To Be Given A Voice And Choice

Forbes

By Robert Alt

November 27, 2017

Early next year, the Supreme Court will hear *Janus v. American Federation of State, County, and Municipal Employees, Council 31*. Mark Janus is a child support specialist at the Illinois Department of Healthcare and Family Service who objects to paying union fees, which are currently a condition of his employment. He argues that the compulsory fees force him to speak through his union in ways that violate his First Amendment rights.

If Mr. Janus prevails, he and other public-sector employees will be able to choose whether or not to pay union dues or fees without threat of being fired, which would be a tremendous victory for workers. However, even if Mr. Janus wins in court, public sector union members will still have no say regarding which union represents their bargaining unit.

Every morning, hardworking men and women in every state drink their coffee and diligently go to work on our behalf -- in our neighborhoods as public school teachers, home care workers, engineers, and in agencies protecting the environment. Unfortunately, while these civic-minded professionals go to work for us, the labor unions that they must join in order to teach our children or serve our communities do not always work for them.

Once a public-sector union is certified, it remains the workers' representative -- potentially forever. In Ohio, for example, the Columbus Education Association has represented Columbus public school teachers since 1968 -- back when the Beatles were still together and before many of today's teachers were even born.

Heirloom unions inherited from the Nixon-era are depriving today's public workers and civil servants of any meaningful voice or choice in their workplace. Ninety-four percent of union workers have **never had the chance to vote for or against their unions** -- and still won't even if Janus succeeds in his case.

When a public-sector union fails to address employee complaints or misspends union dues, there is no ballot to cast for change. Instead, public employees remain stuck with the hand-me-down unions that workers who wore bell-bottoms chose for them.

There is a solution.

With worker voting rights, public employees would have regular elections to encourage their unions to be more responsive to their members' interests. Worker voting rights gives union workers an opportunity to be heard, to voice their concerns to their union leaders, to better understand how their union dues are spent, and to choose for themselves whether to keep the union they have, vote their union out, or vote in a better union. Worker voting rights would incentivize union leaders to cultivate broader support among the workforce they represent and to be accountable to their rank-and-file members. Not surprisingly, 82% of unionized Americans **favor holding periodic votes on their union representation**.

Once-and-for-all unions that rarely -- if ever -- face re-election have no worry of being fired by their members for poor performance or disregarding members' concerns. In states that require workers to pay "fair share" fees as a condition of employment, union leadership failure has next to no consequences, because whether the union negotiates better working conditions for its members or not, whether it spends union dues wisely or not, whether it meets the needs of its members or not, there is almost nothing public employees can do to replace or remove the poorly performing union. Even if these public employees are dissatisfied with their representation, they have to continue paying their union dues or fair share fees, or else their employment can be legally terminated.

Public-sector unions and their insulated union officials know and count on this questionable practice of denying their members voting rights, allowing unions that are not taking care of their members to remain firmly entrenched regardless of their

members' satisfaction. But state lawmakers can guarantee worker voting rights for public employees by providing for regular elections by law.

Unions have played a significant role in America's workforce for well over a century. But the interests of the unions themselves should never trump the interests of the hardworking men and women these unions represent. Our civil servants and public-sector employees deserve to have their voices heard and their choices matter -- they deserve worker voting rights.

Robert Alt is President & CEO of The Buckeye Institute in Columbus, Ohio.

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p.s. The Buckeye Institute is receiving gifts today as part of "**Giving Tuesday**" and invite you to consider supporting our work, which is transforming public policy at the state level. Check out our **appeal from last year** for explanation of this online phenomenon and background on how it started, then submit a generous donation to **your favorite policy organization** as you are able.

#GIVING
TUESDAY

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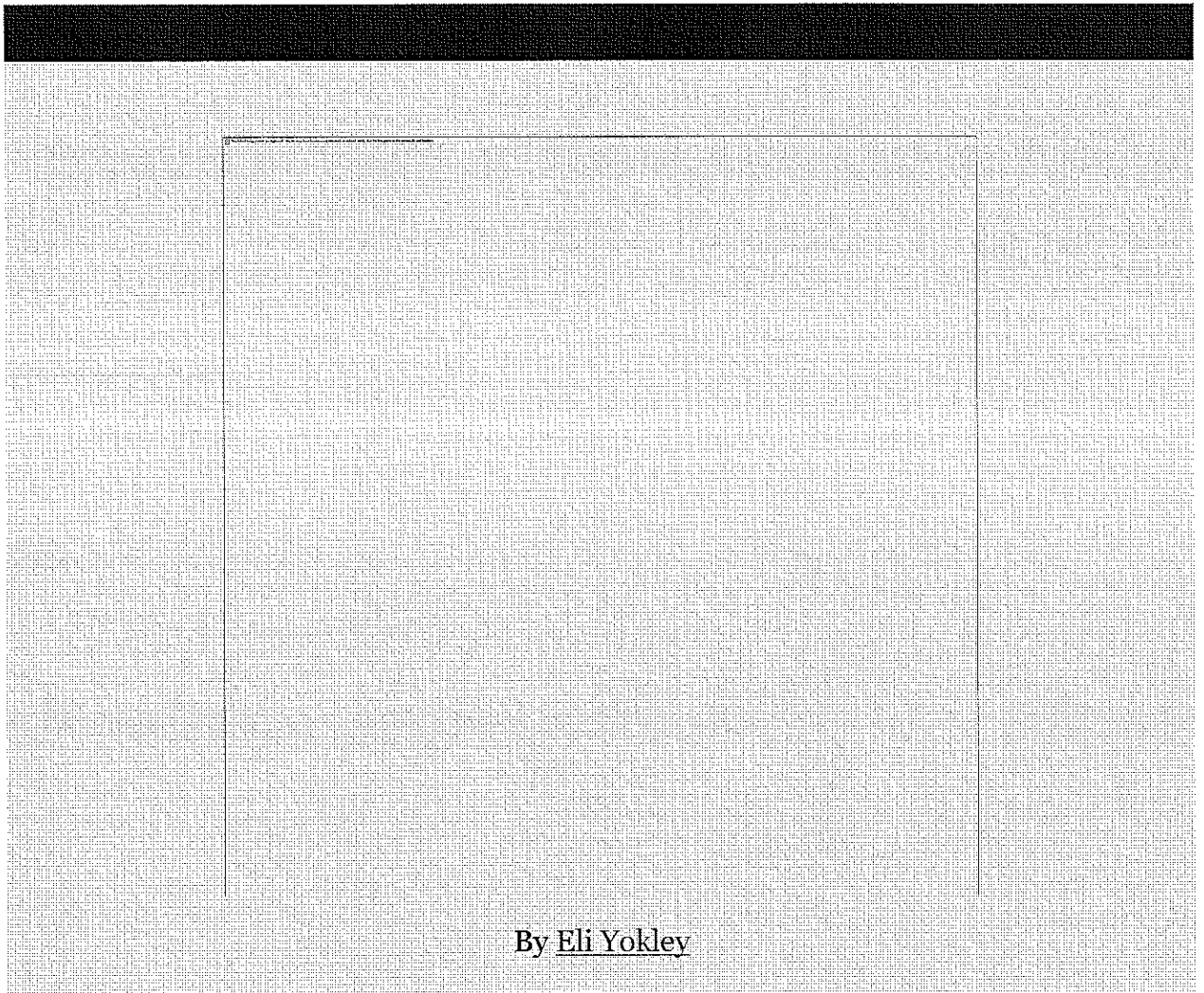
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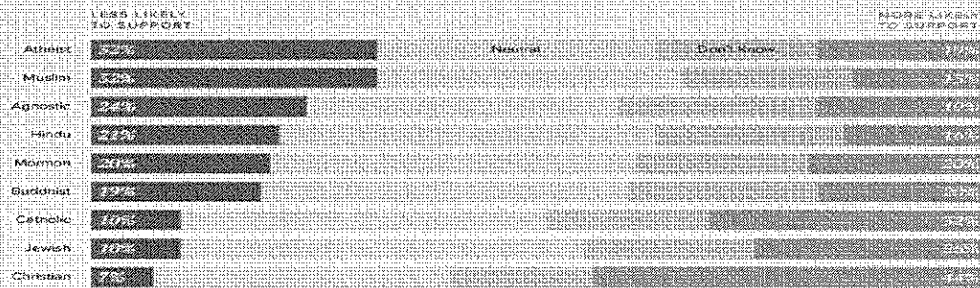
- Sen. Al Franken (D-Minn.) plans to resign from the Senate following calls from more than half of the Senate Democratic Caucus to quit amid allegations of sexual misconduct, according to an unnamed Democratic official. Franken's office said no final decision has been made, and the Minnesota Democrat plans to make an announcement from the Senate floor this morning. ([Star Tribune](#))
 - The House voted 231 to 198 to pass legislation that would let concealed carry license holders conceal a handgun in other states, with opposition from 14 Republicans and support from six Democrats. The measure, a top priority for the National Rifle Association, is strongly opposed by Senate Democrats. ([Politico](#))
 - President Donald Trump is set to meet today with Republican and Democratic leaders from the House and Senate to discuss a long-term budget deal as lawmakers prepare to pass a stopgap spending measure to avoid a government shutdown on Saturday. The House is expected to vote today on a bill that would keep the government open through Dec. 22, with the Senate expected to vote on the measure Friday. ([Bloomberg](#))
 - The Senate voted to begin negotiations with the House on competing bills that would overhaul the federal tax code, with the goal of resolving differences on issue such as deductions for medical expenses and state income taxes. The eight Senate GOP conferees include Finance Committee Chairman Orrin Hatch of Utah, Budget Committee Chairman Mike Enzi of Wyoming, and Energy and Natural Resources Committee Chairman Lisa Murkowski of Alaska. ([The Wall Street Journal](#))
-

Chart Review

Americans Are Skeptical of Muslim, Atheist Candidates, but That Could Change Morning Consult

Atheists, Muslims Garner Least Support From Americans

Does knowing a candidate who is running for public office has the following background make you more or less likely to vote for them?



MORNING CONSULT

Pol. conducted from 1/15-1/16/2017 among a national sample of 2,300 adults with a margin of error of +/- 2%

Events Calendar (All Times Local)

THURSDAY

ACCF event on Trump's economic policy agenda

9:30
a.m.

Carnegie Endowment for International Peace event on sanctions for nonproliferation

10 a.m.

Senate Armed Services Committee hearing on the Defense Department's acquisition reform efforts

10 a.m.

FBI director testifies before House Judiciary Committee

10 a.m.

CSIS event on OPEC's World Oil Outlook 2017

2 p.m.

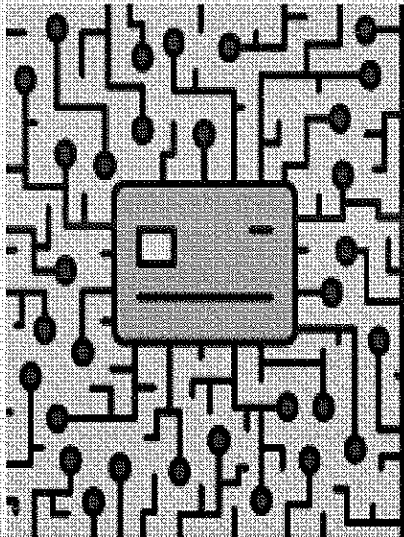
FRIDAY

Carnegie Endowment for International Peace event on China and the U.S.-Japan alliance

10:30
a.m.

Trump campaign rally in Pensacola, Fla.

7 p.m.



NEW REPORT:

EMV is critical in reducing counterfeit payment fraud. Payments innovation is key to data security's future.



LEARN MORE FROM EPC

General

Voters Back Government Shutdown to Renew Health Insurance Program for Kids
Jon Reid, Morning Consult

Two-thirds of voters in a new poll indicated support for shutting down the federal government until Congress reauthorizes the Children's Health Insurance Program, which lawmakers let expire in September amid partisan disagreements over how to pay for a funding extension. With funding for government operations set to expire on Friday absent congressional action, 67 percent of respondents said they support shutting down the government over CHIP, according to a Morning Consult/Politico poll conducted Dec. 1-3.

Flynn Said Russian Sanctions Would Be 'Ripped Up.' Whistle-Blower Says

Mark Mazzetti and Michael S. Schmidt, The New York Times

Michael T. Flynn, President Trump's former national security adviser, told a former business associate that economic sanctions against Russia would be "ripped up" as one of the Trump administration's first acts, according to an account by a whistle-blower made public on Wednesday. Mr. Flynn believed that ending the sanctions could allow a business project he had once participated in to move forward, according to the whistle-blower.

Republicans hammer Mueller, FBI as Russia investigation intensifies

Devlin Barrett and Sean Sullivan, The Washington Post

Republican activists and lawmakers are engaged in a multi-front attack on special counsel Robert S. Mueller III's probe of possible connections between associates of President Trump and Russian agents, trying to stop or curtail the investigation as it moves further into Trump's inner circle. For months, the president and his allies have been seizing on any whiff of possible impropriety by Mueller's team or the FBI to argue that the Russia probe is stacked against Trump - potentially building the political support needed to dismiss the special counsel.

Presidential

Trump to Meet Democrats With Congress on Track to Avoid Shutdown

Erik Wasson et al., Bloomberg

President Donald Trump will meet with congressional leaders from both parties Thursday to negotiate on a long-term budget deal as Congress prepares to pass a stopgap spending measure to avoid a U.S. government shutdown Saturday. The House is expected to vote on a two-week spending bill to keep the government open through Dec. 22, with Senate action coming by Friday.

U.S. 9th Circuit judges skeptical of Trump's travel ban

Maura Dolan, Los Angeles Times

Two days after the Supreme Court allowed President Trump to enforce his travel ban, a federal appeals court appeared skeptical that it complied with the law. During a hearing in Seattle before a three-judge panel of the U.S. 9th Circuit Court of Appeals, a lawyer for the Trump administration argued the revised ban issued in September was based on careful study and tailored toward specific conditions in various countries.

Trump administration opposes unions in key Supreme Court case

Ian Kullgren, Politico

The Trump administration sided against public employee unions Wednesday evening in a Supreme Court case that could deal the labor movement a crippling financial blow. In a brief submitted in *Janus v. American Federation of State, County, and Municipal Employees*, the Office of Solicitor General sided with a child-support specialist for the state of Illinois who's challenging AFSCME's legal right to collect so-called "fair-share fees" from union nonmembers.

Trump Jr. Won't Provide Details of a Call With His Father

Sharon LaFraniere and Nicholas Fandos, The New York Times

Donald Trump Jr. refused on Wednesday to provide a congressional committee details of a July telephone conversation with his father about a

meeting last year at which Trump campaign officials had expected to receive damaging information from the Russian government about Hillary Clinton. Testifying in a closed session before the House Intelligence Committee, Mr. Trump claimed that his conversation over the summer with his father, two days after The New York Times disclosed the June 2016 meeting at Trump Tower in Manhattan, was protected under attorney-client privilege because lawyers for both men were on the call.

Haley: 'Open question' if US athletes can attend Olympics in South Korea
Sophie Tatum, CNN

Whether US athletes will be able to attend the 2018 Winter Olympics in South Korea remains an "open question," US Ambassador to the United Nations Nikki Haley said Wednesday night. The Winter Olympics are set to be held Feb. 9-25 in Pyeongchang, South Korea.

Senate

Sen. Al Franken plans a morning announcement on the Senate floor
Jennifer Brooks et al., Star Tribune

Democratic Party leaders united Wednesday in calling for Sen. Al Franken to resign from the U.S. Senate, an extraordinary rebuke to the Minnesota Democrat as he faced a new allegation of sexual harassment. Franken planned to make an announcement about his future Thursday morning on the Senate floor.

Senate Votes to Begin Tax-Overhaul Negotiations With House
Richard Rubin, The Wall Street Journal

The U.S. Senate voted Wednesday to start formal tax-bill negotiations with the House of Representatives as lawmakers began grappling with the delicate balance they must strike to advance final legislation through

both chambers and to the president by Christmas. Republicans are weighing a number of changes that would expand tax cuts and force offsetting adjustments.

Bredesen running for Senate
Cari Wade Gervin, Nashville Post

Former Gov. Phil Bredesen is entering the Democratic primary for U.S. Senate. According to multiple sources, Bredesen began calling major donors this afternoon to confirm that he is in the race.

Indiana GOP Senate candidate voted Democrat until 2012
Brian Slodysko, The Associated Press

A wealthy Indiana Senate candidate who bills himself in television ads as a conservative Republican voted for more than a decade in the state's Democratic primaries, according to public documents obtained by The Associated Press. Records from the Dubois County Clerk's office, where candidate Mike Braun is registered to vote, show the 63-year-old consistently cast Democratic ballots in partisan primary elections until 2012.

House

House passes concealed carry gun bill in win for GOP and NRA
John Bresnahan, Politico

The House passed legislation to permit concealed carry license holders to conceal a handgun in other states, the first time Congress has taken action on a gun bill since President Donald Trump was sworn into office. The "Concealed Carry Reciprocity Act," a top priority for the National Rifle Association and other gun-rights groups, passed 231-198.

House Republicans Weigh Linking Debt Ceiling Increase to Spending Bill

Kristina Peterson and Kate Davidson, The Wall Street Journal

A group of House Republicans is considering pushing to raise the government's borrowing limit as part of the next long-term spending bill, a move that could help dispatch one of the thorniest issues for GOP lawmakers before next year's primary elections intensify. Rep. Doug Collins of Georgia, a member of House GOP leadership and the head of a working group of House Republicans on the debt limit, said lawmakers were considering increasing the debt ceiling as part of the bill funding the government for the rest of the fiscal year, known as an omnibus.

Ryan says Republicans to target welfare, Medicare, Medicaid spending in 2018

Jeff Stein, The Washington Post

House Speaker Paul D. Ryan (R-Wis.) said Wednesday that congressional Republicans will aim next year to reduce spending on both federal health care and anti-poverty programs, citing the need to reduce America's deficit. "We're going to have to get back next year at entitlement reform, which is how you tackle the debt and the deficit," Ryan said during an appearance on Ross Kaminsky's talk radio show.

Kihuen Mum on Re-Election Question

Bridget Bowman, Roll Call

Nevada Democratic Rep. Ruben Kihuen declined to answer questions Wednesday morning about whether he will run for re-election. "We're going to be making another statement here in the next few days," Kihuen told Roll Call as he walked to the Capitol.

Andy Levin running to replace father Sandy Levin in 9th Congressional district

Lauren Gibbons, MLive.com

Andy Levin, the son of sitting U.S. Rep. Sandy Levin and the former head of the Michigan Department of Energy, Labor and Economic Growth, has

announced his bid to replace his father in Washington, D.C. Andy Levin, of Bloomfield Twp., is the founder of a clean energy business and directed worker training as part of his role with the state of Michigan under former Gov. Jennifer Granholm.

John Conyers III was arrested for domestic abuse but not prosecuted

Andrew Blankstein and Alex Johnson, NBC News

John Conyers III, a Detroit hedge fund manager named as a possible successor to his scandal-rocked father, Rep. John Conyers, was arrested in Los Angeles this year on suspicion of domestic violence, but prosecutors declined to charge him, according to documents obtained by NBC News. The Los Angeles County District Attorney's Office cited a "lack of independent witnesses" and their conclusion that it "could not be proven beyond a reasonable doubt that the victim's injury was not accidentally sustained" while he was disarming her, according to case paperwork.

States

Race where Republican leads by 10 votes instrumental to deciding Va. politics' fate

Fenit Nirappil, The Washington Post

It was "Take Your State Legislator to School Day" in this coastal Virginia city. And two of them showed up.

Independent Greg Orman reshuffles the race for Kansas governor

Bryan Lowry and Jonathan Shorman, The Kansas City Star

A Johnson County businessman with tens of millions in assets took the first major steps Wednesday toward an independent candidacy for governor. Greg Orman, who mounted a failed bid for U.S. Senate in 2014,

filed paperwork with the state to establish a campaign committee and begin fundraising.

Dallas County Sheriff Lupe Valdez, a Democrat, is running for governor

Patrick Svitek, The Texas Tribune

Dallas County Sheriff Lupe Valdez announced Wednesday morning that she is running for governor, giving Texas Democrats a serious candidate for the top job with five days until the candidate filing deadline for the 2018 primaries. "Like so many hardworking Texans, I know it's tough deciding between buying food, finding a decent place to live, and setting aside money for college tuition," Valdez said in a statement before filing at the Texas Democratic Party headquarters in Austin.

Gay man who was denied marriage license by Kim Davis is running for her job

Adam Beam, The Associated Press

David Ermold returned to the Rowan County courthouse Wednesday, nearly two years after Clerk Kim Davis refused to give him a marriage license because he was gay. Only this time, he did not want a license.

Illinois governor's race haunted by 2016 presidential primary
Natasha Korecki, Politico

An inevitable candidate. Accusations of a rigged primary.

Advocacy

Lobbyists push GOP in last-minute scramble to save tax breaks
Theodoric Meyer et al., Politico

Lobbyists have launched an all-out effort to save tax breaks and protect powerful industries as the Republicans' tax overhaul lurches toward

President Donald Trump's desk. Builders and real estate interests are pushing to save the mortgage interest deduction.

Outdoors industry groups ratchet up Trump criticism **Devin Henry, The Hill**

President Trump's decision this week to shrink two national monuments escalated a fight between the outdoors industry and his administration. Retailers such as Patagonia and REI slammed Trump's decision, equating it to theft, while lining up to challenge its legality.

Inside Oracle's cloak-and-dagger political war with Google **Tony Romm, Recode**

The story that appeared in Quartz this November seemed shocking enough on its own: Google had quietly tracked the location of its Android users, even those who had turned off such monitoring on their smartphones. But missing from the news site's report was another eyebrow-raising detail: Some of its evidence, while accurate, appears to have been furnished by one of Google's fiercest foes: Oracle.

A Message from the Electronic Payments Coalition:

A new EPC report analyzes how countries that adopt EMV experience lower counterfeit card fraud rates. It's time for a dynamic data security strategy to protect consumers like you. [Learn more](#) from EPC.

Opinions, Editorials and Perspectives

I Believe Franken's Accusers Because He Groped Me, Too **Tina Dupuy, The Atlantic**

In mid-November, a Los Angeles radio host named Leeann Tweeden stepped forward to claim that Senator Al Franken had shoved his tongue

down her throat under the pretext of a rehearsal for a sketch he'd written. The coup de grace was a photograph of a sleeping Tweeden and the now-senator pretending to grab her boobs for the camera.

Trump, Israel and the Art of the Giveaway
Thomas L. Friedman, The New York Times

I'm contemplating writing a book on the first year of President Trump's foreign policy, and I already know the name: "The Art of the Giveaway." In nearly 30 years of covering United States foreign policy, I've never seen a president give up so much to so many for so little, starting with China and Israel.

Why Donald Trump Would Regret Firing Robert Mueller
Karl Rove, The Wall Street Journal

They came like rapid-fire rifle shots. On Friday, former national security adviser Mike Flynn copped a deal, pleading guilty to making false statements to the FBI and promising to cooperate with Special Counsel Robert Mueller in return for avoiding more-serious charges.

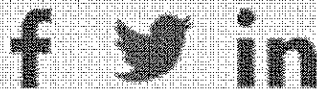
A Message from the Electronic Payments Coalition:

NEW REPORT: EMV adoption is critical to reduce counterfeit fraud in the U.S. Learn how EPC members are developing and implementing new technologies to make your life more secure.

Research Reports and Polling

The 2017 Annual Homeless Assessment Report (AHAR) to Congress
The Department of Housing and Urban Development

The Department of Housing and Urban Development (HUD) releases the Annual Homeless Assessment Report to Congress (AHAR) in two parts. Part 1 provides Point-in-Time (PIT) estimates, offering a snapshot of homelessness-both sheltered and unsheltered- on a single night.



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PRESS RELEASE

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Advocates call for policies that support Ohio's workers

Contact: [Hannah Halbert](#)
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Later this month, the U.S. Supreme Court will hear *Janus v. AFSCME*, which threatens the ability of unions to collect fair share fees. Ohio legislators also recently unveiled a slate of proposals designed to give more power to corporations at the expense of workers, including so-called "right to work" legislation, which could greatly reduce the power of Ohio's unions. With working people facing threats at state and national levels, Policy Matters Ohio joined ProgressOhio to unveil a [new policy brief](#), "[A way forward: 10 ways to support Ohio's working people](#)."

"So-called 'Right-to-Work' legislation and related judicial attacks like the pending Janus case don't address these real struggles of working people," Policy Matters Researcher Hannah Halbert said. "Unionized workers in Ohio make \$4 an hour more than their non-union counterparts, \$8,000 more a year for full-time work. Union workers are more likely to have pensions and paid sick days, and less likely to be treated unfairly at work or experience harassment or workplace injuries."

Cincinnati fire fighter and Ohio Association of Professional Fire Fighters Communications Director Doug Stern said so-called right-to-work laws not only chip away at the fabric of unions, but can make communities less safe.

"Attacks like these on working people and unions are attacks on fire fighters, police officers and all first responders, he said. "Our fire fighters and police officers deserve the right to collectively bargain so that we can effectively advocate for the training and equipment that keep our communities safe."

For decades, state and federal policymakers have chipped away at worker protections. As a result, Ohio's job growth has been weak and the state's wealthiest 1 percent earned more than 19 times the average of the bottom 99 percent of earners combined.

"The decline of unions has significantly contributed to the decline of the middle class as wages have remained stagnant and workers are getting a smaller and smaller share of income," said Wright State University Economics Professor Rudy Fichtenbaum. "Attacks on unions are not about increasing job growth; they're about corporations and the political elite gaining power over workers."

Policy Matters calls for the policymakers to protect workers' right to organize, as well as strengthen the public sector, raise the minimum wage, restore the 40-hour work week, fix Ohio's broken unemployment compensation system and more.

[See the press conference on Facebook Live.](#)

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The Aerospace States Association BRIEFING

in affiliation with



Good morning Thomas Patton

February 20, 2018

ASA IN THE NEWS

NASA Officials To Highlight Alabama's Role In Space Program During ASA's Alabama Aerospace Week.

The Florence (AL) Times Daily (2/16, Corey) reported that NASA officials from Huntsville's NASA officials from Huntsville's Marshall Space Flight Center will "travel to Montgomery on Thursday to spread the word about the importance of the state's role in leading America back to the moon and on to Mars during the Aerospace States Association's Alabama Aerospace Week." Marshall leaders will meet with "elected officials and NASA will be honored by the Legislature with a resolution and proclamation from Gov. Kay Ivey recognizing the agency's achievements."

PRNewswire (2/16) reported the event will take place Thursday, February 22. Marshall Center Director Todd May and "NASA astronaut Tracy Dyson speak at 1 p.m. CST, at Alabama State University's Ralph D. Abernathy College of Education's auditorium, which will be hosted by ASU's President, Dr. Quinton T. Ross, Jr."

POLICY NEWS - STATE

Port Authority Authorizes Name Change, Expansion For New York's Stewart International Airport.

USA Today (2/19, Wilson) reports that Stewart International Airport in New York may soon undergo a name change and \$30 million expansion. The Port Authority of New York and New Jersey authorized the changes on Thursday. The proposed project will "expand the terminal by 19,850 square feet, adding a customs inspection area to accommodate domestic and international passengers simultaneously at the Hudson Valley airport." Currently, the airport lacks a "dedicated area to process international travelers." The airport would be renamed New York International at Stewart Field, with completion of the project anticipated for 2020. Global Gateway Alliance Chairman Joseph Sitt praised the proposal for its potential to alleviate congestion at New York's airports, which he said will not "change without new capacity," which he said will come through "proposals like the Stewart International Airport expansion along with better transportation, a real and sustained commitment to marketing, and, most of all, more flights and services to attract passengers."

FROM ASA



Alabama Aerospace Week 2018

Tuesday, February 20, 2018

6:00pm - 7:30pm Joint Reception with the Huntsville/Madison County Chamber of Commerce- Renaissance Hotel, Montgomery Performing Arts Center Atrium

Wednesday, February 21, 2018

6:00pm - 8:00pm NASA/Legislative Reception- Irish Bred Pub

Thursday (NASA DAY), February 22, 2018

8:30am - 2:00pm Exhibits on Washington Street

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POLICY NEWS - FEDERAL

Justice Department Charges Three Men With Providing UAV Parts To Hezbollah.

Reuters (2/16) reported that the Justice Department announced Friday that authorities "have charged three men with illegally exporting drone parts and other material from the United States to Lebanon's militant Hezbollah group." Two of the suspects, Usama Darwich Hamade and Issam Darwich Hamade, "were in custody in South Africa," while the third, Samir Ahmed Berro, "remained at large." 0

ALPA, NATCA, A4A Urge Congress To Tighten UAV Regulations.

Air Transport World (2/17, Carey) reported that the Air Line Pilots Association, the National Air Traffic Controllers Association, and the trade group Airlines for America have all "asked Congress to amend Section 336 of the FAA Modernization and Reform Act of 2012." In a letter from February 13 signed by leaders from all three groups, the stakeholders say Section 336, which blocks FAA from passing regulations on model aircraft flown recreationally, "has limited the FAA's ability to fully regulate model and hobby UAS to the point that safety of the national airspace is at risk." The letter cited a video "that shows a Frontier Airlines Airbus A320 passing underneath an apparent drone while on approach to Las Vegas McCarran International Airport" in clear violation of FAA guidelines for UAV operators.

AVIATION

Helicopter Crash May Be First Aircraft Collision Linked To UAV.

Bloomberg News (2/16, Levin) reported that the crash landing of a helicopter in South Carolina last week "may have been triggered by a civilian drone, which would make it the first drone-related crash of an aircraft in the US." The incident occurred last Wednesday and involved a student pilot and instructor, "both of whom told investigators that a small drone appeared directly in front of them, according to a Charleston Police Department report." The instructor took over the controls and attempted to avoid a collision, during which the tail of the helicopter "hit a tree or brush, triggering a crash landing." The FAA has not confirmed the "possible role of the drone," but the National Transportation Safety Board (NTSB) is "aware of initial reports that a drone may have been involved in the crash and is gathering information on the case, spokesman Chris O'Neil said in an email Thursday. 3 0

Israel Successfully Tests Arrow-3 Missile Defense System.

The AP (2/19) reports that Israel has announced it has successfully tested an advanced missile defense system with the capability of defending the country against ballistic missile threats. The Israeli Defense Ministry called Monday's test of the Arrow-3 interceptor a "major milestone" in Israel's development of missile defense systems to guard "against current and future threats in the region." Two previous tests of the system were recently delayed. Arrow-3, developed by The Boeing Company and Israel Aerospace Industries (IAI), is part of a "multi-layered system" Israel is developing to "defend against both short- and mid-range rockets fired from the Gaza Strip and Lebanon, as well as Iran's long-range missiles." Other components in the system include the Iron Dome, David's Sling, and Arrow-2 systems.

FAA Awards Boeing 787-10 Production Certificate.

FlightGlobal (2/16) reported that the FAA had awarded The Boeing Company a "production certificate for the 787-10 on 15 February, the manufacturer says." The approval means that Boeing is officially authorized to produce the new 330-seat airliner. Boeing plans to deliver the initial 787-10 to Singapore Airlines this March.

Gulfstream To Build Service Center At Appleton Airport.